EXHIBIT 1

REDACTED VERSION OF DOCUMENT SOUGHT TO BE SEALED

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1   UNITED STATES DISTRICT COURT

2   NORTHERN DISTRICT OF CALIFORNIA

3   SAN FRANCISCO DIVISION

4   ORACLE AMERICA, INC.,   )

5   Plaintiff,   ) Case No.

6   vs.   ) CV 10-03561 WHA

7   GOOGLE, INC.,   )

8   Defendant.   )

9   _____) VOLUME I

10

11   HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

12   VIDEOTAPED 30(b)(6) DEPOSITION OF GOOGLE, INC.

13   DESIGNEE: FELIX LIN

14   Palo Alto, California

15   Monday, December 14, 2015

16

17

18

19

20

21

22   Reported by:

23   KELLI COMBS, CSR No. 7705

24   Job No. 2196295

25   Pages 1 - 184

                                              Page 1
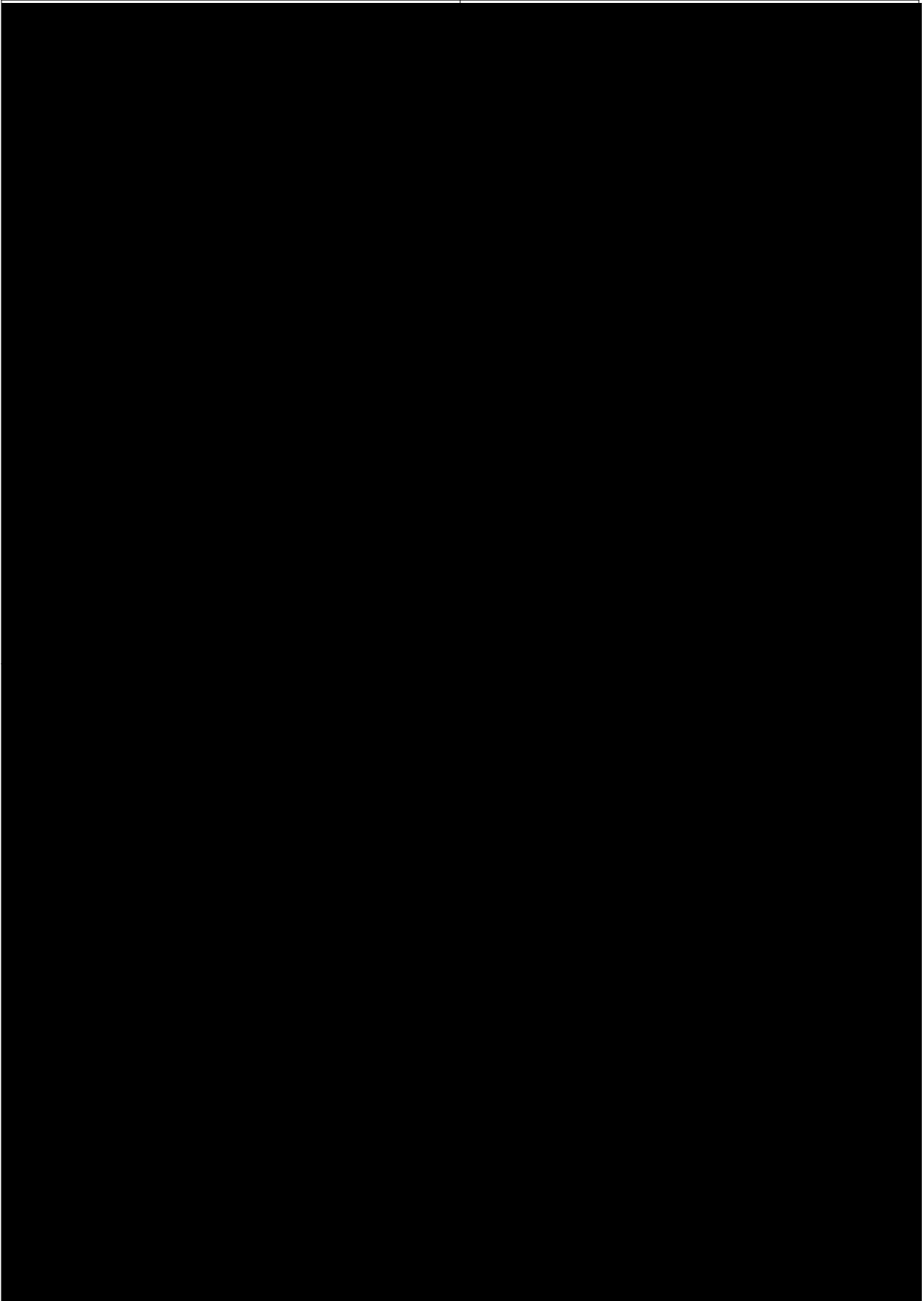
1 UNITED STATES DISTRICT COURT	1 I N D E X
2 NORTHERN DISTRICT OF CALIFORNIA	2 WITNESS
3 SAN FRANCISCO DIVISION	3 FELIX LIN
4	4 EXAMINATION PAGE
5 ORACLE AMERICA, INC.,)	5 BY MS. HURST 7
6 Plaintiff,)	6
7) Case No.	7
8 vs.) CV 10-03561 WHA	8
9 GOOGLE, INC.,)	9
10 Defendant.)	10
11 _____)	11
12	12
13	13
14	14
15 VIDEOTAPED DEPOSITION OF FELIX LIN, Volume I, taken	15
16 on behalf of Plaintiff, at King & Spalding, 601 S.	16
17 California Street, Suite 100, Palo Alto, California,	17
18 beginning at 10:00 a.m., on Monday, December 14, 2015,	18
19 before KELLI COMBS, Certified Shorthand Reporter No.	19
20 7705.	20
21	21
22	22
23	23
24	24
25	25
Page 2	Page 4

1 APPEARANCES:	1 E X H I B I T S
2 For the Plaintiff:	2 EXHIBITS FOR IDENTIFICATION
3 ORRICK, HERRINGTON & SUTCLIFFE LLP	3 NUMBER PAGE
4 BY: ANNETTE L. HURST, ESQ.	4 Exhibit 5089 Article from Ars Technica 100
5 MICHELLE O'MEARA, ESQ.	entitled "The Pixel C was
6 405 Howard Street	5 Probably Never Supposed to
7 San Francisco, California 94105-2669	Run Android" dated
8 415.773.4585	6 December 10, 2015
9 ahurst@orrick.com	7 Exhibit 5090 Wall Street Journal article 106
10	entitled "Alphabet's Google
11 For the Defendant:	8 to Fold Chrome Operating
12 KEKER & VAN NEST LLP	System into Android" dated
13 BY: STEVEN P. RAGLAND, ESQ.	9 October 29, 2015
14 633 Battery Street	10 Exhibit 5091 Large printout of a single 124
15 San Francisco, California 94111	tab in a worksheet,
16 415.391.5400	11 produced natively, entitled
17 sragland@kvn.com	"Google Mobile Search
18	12 Services," Bates stamped
19	GOOGLE-22-00113654
20 Also Present:	13
21 Jefree Anderson, Video Operator	Exhibit 5092 Tab in a spreadsheet titled 144
22 Chester Day, In-house counsel for Google	14 "AdSense Revenue Report,
23	Summary Format," Bates
24	15 stamped GOOGLE-22-00113654
25	16 Exhibit 5093 Mobile application and 156
	distribution agreement,
	17 Bates stamped GOOG-00130126
	through -40
	18
	19 PREVIOUSLY MARKED EXHIBITS
	20 EXHIBIT PAGE
	21 5003 48
	22
	23
	24
	25
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2 (Pages 2 - 5)

1   Palo Alto, California; Monday, December 14, 2015
2   10:00 a.m.
3   P R O C E E D I N G S
4   THE VIDEOGRAPHER: Good morning, we're on
5 the record at 10:00 a.m. on December 14th, 2015.
6 This is the video recorded deposition of Felix Lin.
7 My name is Jefree Anderson, here with our court
8 reporter, Kelli Combs. We're here from Veritext
9 Legal Solutions at the request of counsel for the
10 Plaintiff.
11   This deposition is being held at 601 South
12 California Avenue in Palo Alto, California. The
13 caption of this case is Oracle America, Incorporated
14 versus Google, Incorporated, Case Number CV
15 10-03561.
16   Please note that audio and video recording
17 will take place unless all parties agree to go off
18 the record. Microphones are sensitive and may pick
19 up whispers, private conversations and cellular
20 interference, so please be aware of that.
21   Please state your name and the firm you
22 represent, beginning with the noticing attorney.
23   MS. HURST: Annette Hurst from Oracle
24 Herrington & Sutcliffe for Plaintiff Oracle, and
25 with me this morning is Michelle O'Meara, also of my

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1 firm.
2   MR. RAGLAND: Steven Ragland,
3 Keker & Van Nest, on behalf of Google.
4   MR. DAY: Chester Day, Google, Inc.
5   THE VIDEOGRAPHER: Will the court reporter
6 please swear in the witness.
7   FELIX LIN,
8   after having been duly sworn, testified as follows:
9   ---o0o---
10
11   THE VIDEOGRAPHER: Please begin.
12   EXAMINATION
13 BY MS. HURST:
14   Q   Good morning, Mr. Lin.
15   A   Good morning.
16   Q   Have you ever been deposed before?
17   A   No.
18   Q   All right.
19   Your counsel has probably explained to you
20 how it works, but I'll just go over a few ground
21 rules. I'll be asking questions, and it would help
22 the court reporter take down accurately the answers
23 if you always answer audibly with some kind of a
24 word, "yes," "no," "I don't know," whatever it is,
25 rather than a grunt or a nod.

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1   Do you understand that?
2   A   Yes.
3   Q   All right.
4   And although it can be sometimes difficult
5 because everybody wants to get this over with, if
6 you wait until I finish my questions before you give
7 your answers so that we're not talking over each
8 other, and I'll commit to you to do the same. That
9 will also make it easier for the court reporter.
10   Do you understand?
11   A   Yes.
12   Q   All right.
13   You'll have an opportunity to review the
14 transcript that is prepared after the deposition,
15 make revisions to any answers that you think require
16 correction. But if you do change your answers in
17 some material way, then I may have the opportunity
18 to comment on that before the jury as to your
19 credibility.
20   Do you understand that?
21   A   Yes.
22   Q   All right.
23   By whom are you presently employed?
24   A   Google.
25   Q   Anyone else?

Page 8

1   A   No.
2   Q   And what is your current title with
3 Google?
4   A   Director of Product Management.
5   Q   What are your general duties and
6 responsibilities as a Director of Product Management
7 at Google?
8   A   Today, I primarily work with hardware
9 partners, folks like Acer and others, who are
10 building hardware built on Google's operating system
11 platforms.
12   Q   Which operating system platforms?
13   A   Chrome OS and Android.
14   Q   When did you join Google?
15   A   April of 2009.
16   Q   And what was your title at that time?
17   A   Group Product Manager.
18   Q   And what product or products --
19   For which product or products did you have
20 responsibility when you joined Google?
21   A   Chrome OS.

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3 (Pages 6 - 9)

1 very beginning, and just last year about this time,
2 I picked up responsibility for Android Partner
3 Engineering.
4   Q   When you joined Google, was there a
5 Chrome OS?
6   A   No. The product had not been announced
7 yet.
8   Q   Was it being worked on at the time?
9   MR. RAGLAND: I'll object to outside the
10 scope of the 30(b)(6) topics on which Mr. Lin is
11 presented.
12   But you may answer.
13   THE WITNESS: Sure. We were in the
14 initial discussions about getting the project
15 started.
16 BY MS. HURST:
17   Q   So you were there from the very beginning
18 with Chrome OS?
19   A   There were some conversations that were --
20 that had taken place before I had gotten there.
21   Q   Had the decision yet been made to go
22 forward in creating Chrome OS?
23   A   No.
24   MR. RAGLAND: Same objection. Outside th
25 scope.

Page 10

1 BY MS. HURST:
2   Q   With whom did you participate in the
3 discussions whether Google should create Chrome OS?
4   MR. RAGLAND: And if I could just --
5 Ms. Hurst, if I could have a continuing objection to
6 the question about Chrome OS as outside the scope of
7 the topics, that way I won't need to interrupt you
8 each time.
9   MS. HURST: Well, Topic 5 specifically
10 encompasses non-Android operating systems, so this
11 is foundation for that topic. I don't agree with
12 you, but if you just object and say "beyond the
13 scope" when you think it's beyond the scope, you
14 will have preserved the objection.
15   THE WITNESS: What was your question
16 again?
17 BY MS. HURST:
18   Q   With whom did you participate in
19 discussions whether Google should create Chrome OS?
20   MR. RAGLAND: Objection; outside the
21 scope.
22   THE WITNESS: Linus Upson.
23 BY MS. HURST:
24   Q   Anyone else?
25   A   Caesar Sengupta.

Page 11

1   Q   Anyone else?
2   A   Not that I recall.
3   Q   What about Mr. Pichai? Did he participate
4 in those discussions?
5   A   I don't recall whether I had direct
6 conversations with him.

25   MR. RAGLAND: Objection to form.

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1   If you'll wait just one moment, I'll put
2 an objection in.
3 BY MS. HURST:
4   Q   And would you correct my pronunciation of
5 any names if they're wrong today? I don't want to
6 offend anyone by getting the names wrong.
7   Is that -- is that all right with you?
8   A   Sure. Yes.
9   Q   Thank you.

16 BY MS. HURST:
17   Q   Now, in 2009, Google had already created
18 and announced Android; is that correct?
19   A   Yes.
20   Q   And Android is an operate -- or includes
21 an operating system, true?
22   MR. RAGLAND: Objection; form.
23   THE WITNESS: Yes.

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4 (Pages 10 - 13)

Page 15

Page 17

5 (Pages 14 - 17)

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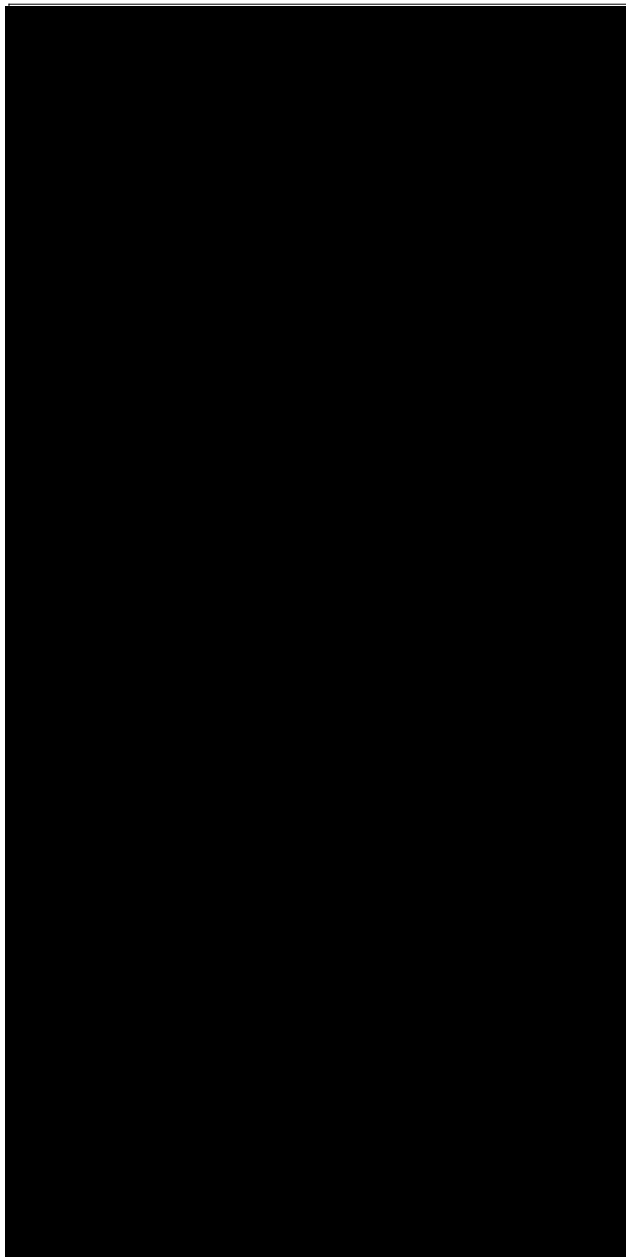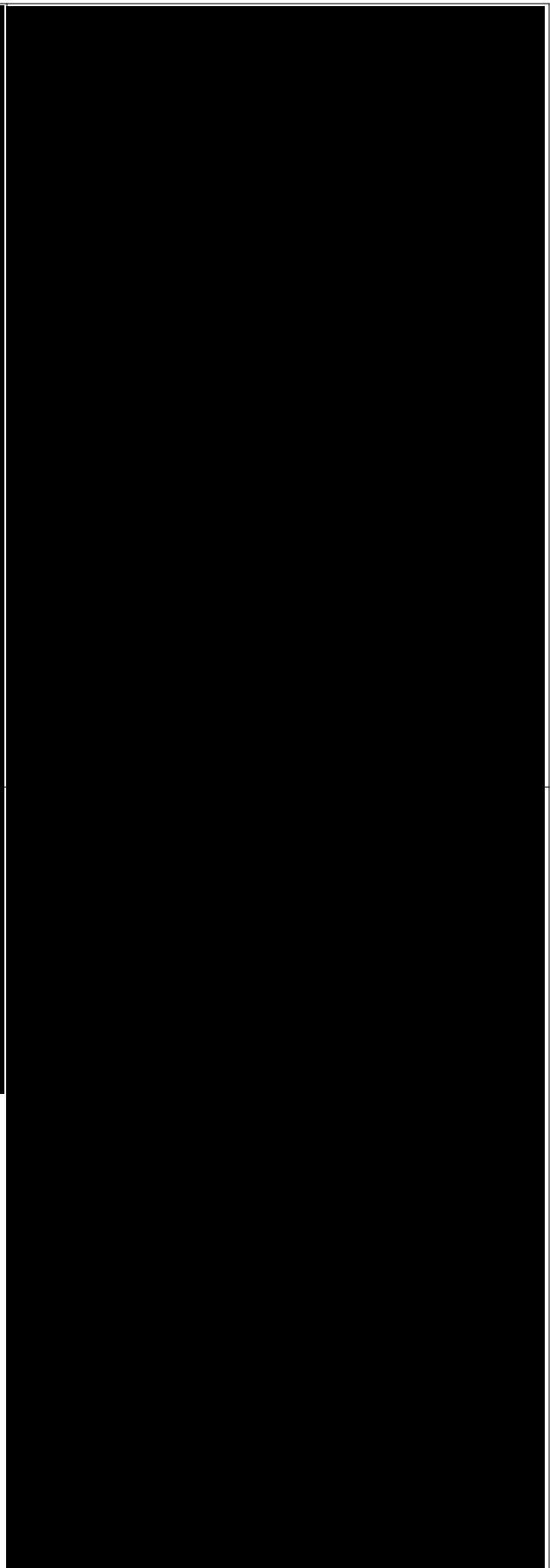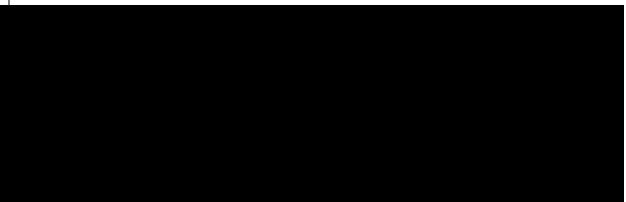
11   Q   And the -- are you familiar with
12 ARC Welder?
13   A   Yes.
14   Q   What is ARC Welder?
15   MR. RAGLAND: Objection; outside the
16 scope.
17   THE WITNESS: ARC Welder is a tool that
18 allows application developers to try to get their
19 applications running on Chrome OS.

6 (Pages 18 - 21)

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 4   Q   Well, there are some number of Android
 5 applications that are available on the Google Play
 6 Store.
 7   Are you familiar with that?
 8   MR. RAGLAND: Same objections.
 9   THE WITNESS: Yes.
10 BY MS. HURST:
11   Q   At times, people have estimated that
12 perhaps a million applications might be available in
13 the Google Play Store, true?
14   A   Right.

15 BY MS. HURST:
16   Q   How long has ARC Welder been in existence?
17   MR. RAGLAND: Objection to form, outside
18 the scope.
19   THE WITNESS: I can't recall exactly how
20 long, but it seems within the last year.
21 BY MS. HURST:
22   Q   Would you say that's a relatively new
23 effort?
24   A   Yes.
25   MR. RAGLAND: Same objections.

Page 24

23 BY MS. HURST:
24   Q   Would you agree that major platform
25 providers in the marketplace are working towards the

Page 23

Page 25

7 (Pages 22 - 25)

1 goal of having a unified experience for their
2 consumers across all devices?
3   MR. RAGLAND: Objection to form, outside
4 the scope of the noticed topics.
5   THE WITNESS: Could you ask the question
6 again?
7 BY MS. HURST:
8   Q   Sure.
9   Would you agree that the major platform
10 providers in the marketplace are working towards the
11 goal of having a unified experience for their
12 consumers across all devices?
13   MR. RAGLAND: Same objections.
14   THE WITNESS: Which companies are you
15 thinking about?
16 BY MS. HURST:
17   Q   Well, let's take Apple as an example,
18 Microsoft as an example.
19   MR. RAGLAND: Same objections.
20   THE WITNESS: It's hard for me to talk
21 about strategies of other companies. If you're
22 asking as a consumer what am I seeing, I can answer
23 that.
24 BY MS. HURST:
25   Q   All right. And how would you?

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1   MR. RAGLAND: Objection; outside the
2 scope.
3   THE WITNESS: I'd say companies seem to be
4 taking different approaches.
5 BY MS. HURST:
6   Q   Have you -- have you reviewed any analyst
7 reports or other articles in major publications
8 discussing efforts by major consumer technology
9 platform providers to unify their platforms across
10 multiple devices?
11   MR. RAGLAND: Objection to form, outside
12 the scope.
13   THE WITNESS: I've -- I've read a lot, but
14 everything seems all over the map.

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15 BY MS. HURST:
16   Q   And how does Google make money?
17   MR. RAGLAND: Objection; outside the
18 scope, form.
19   THE WITNESS: Today, Google primarily
20 makes money from advertising.
21 BY MS. HURST:
22   Q   And in what forms does Google deliver the
23 advertising from which it makes that money?
24   MR. RAGLAND: Same objections.
25   THE WITNESS: Largely online.

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8 (Pages 26 - 29)

1 BY MS. HURST:
2   Q   And search engine advertising is an
3 example?
4   A   Yes.
5   Q   And are there other examples of forms of
6 advertising that Google uses to make money?
7   MR. RAGLAND: Same objections.
8   THE WITNESS: Display ads.
9 BY MS. HURST:
10   Q   Any others?
11   MR. RAGLAND: Same objections.
12   THE WITNESS: Video ads.
13 BY MS. HURST:
14   Q   Any others?
15   MR. RAGLAND: Same.
16   THE WITNESS: Application licensing.
17 BY MS. HURST:
18   Q   And any other examples of forms of
19 advertising that Google uses to make money that you
20 can think of?
21   MR. RAGLAND: Objection to form, outside
22 the scope.
23   THE WITNESS: There's keyword advertising.
24 BY MS. HURST:
25   Q   Any others?

Page 30

1   MR. RAGLAND: Same objections.
2   THE WITNESS: Not that I'm -- not that
3 come to mind immediately.
4 BY MS. HURST:
5   Q   All right.
6   Now, is keyword advertising the same as
7 search engine advertising, or is it different?
8   MR. RAGLAND: Same objections.
9   THE WITNESS: I guess it depends on how
10 you define it.
11 BY MS. HURST:
12   Q   Okay.
13   What did you have in mind?
14   A   Specifically the AdWords program.
15   Q   And when you say "the AdWords program,"
16 that's a form of keyword advertising?
17   A   Right.
18   Q   And the way that works is that Google
19 sells or auctions to advertisers the right to
20 display their advertisements in connection with
21 consumers searching on certain keywords, true?
22   A   That's generally it, yeah.
23   Q   Okay.
24   And those keywords might be typed into a
25 browser, true?

Page 31

1   MR. RAGLAND: Objection; form, outside the
2 scope.
3   THE WITNESS: They could be typed into a
4 browser, that's correct, yeah.
5 BY MS. HURST:
6   Q   And can those keywords be typed into other
7 places as well in order for Google to generate
8 revenue associated with its AdWords program?
9   A   Yes.
10   MR. RAGLAND: Same objections.
11 BY MS. HURST:
12   Q   And where else does the use of keywords
13 enable Google to generate revenue from its AdWords
14 program?
15   MR. RAGLAND: Objection to form, outside
16 the scope.
17   THE WITNESS: People can type search terms
18 into a search box.
19 BY MS. HURST:
20   Q   What is a search box?
21   A   It's a search field on your mobile device.
22   Q   Other than browsers and search box, are
23 there other places that keywords are used as part of
24 the AdWords program?
25   MR. RAGLAND: Same objections.

Page 32

1   THE WITNESS: They could be spoken.
2 BY MS. HURST:
3   Q   Any others?
4   MR. RAGLAND: Same objections.
5   THE WITNESS: Not that come to mind.
6 BY MS. HURST:
7   Q   All right.
8   Now, when you said "the search box," where
9 are the -- I'm just going to use the physical world
10 terms, and if it doesn't make sense, you'll tell me.
11 Is that okay?
12   A   Sure.
13   Q   All right.
14   So where are the places that one user
15 might look or find a search box to enter a term that
16 could result in Google earning money as part of
17 keyword advertising in its AdWords program?
18   MR. RAGLAND: Outside the scope.
19   THE WITNESS: And end user could go to
20 Google.com and type search terms into the search
21 field at the top of the page.
22 BY MS. HURST:
23   Q   And where else?
24   A   On many phones there is a Google Search
25 box on the home screen.

Page 33

9 (Pages 30 - 33)

1   Q   And do you have any particular name for
2 that home screen Google Search box? Is there any
3 terminology that you use regularly to refer to that?
4   A   I just call it the search box.
5   Q   Okay.
6   We've heard the term from time to time,
7 phone top. Does that mean anything to you?
8   A   I've never actually heard that term,
9 but...
10   Q   Okay. That's fine.
11   A   Yeah.
12   Q   All right.
13   Other than the Google.com search box and a
14 search box on the home screen of a phone, are there
15 other places where a consumer might find a search
16 box that would result in Google getting advertising
17 revenue as part of its AdWords program?
18   MR. RAGLAND: Objection to -- outside the
19 scope and form.
20   THE WITNESS: So people can type search
21 terms directly into the field for the URL in most
22 browsers; however, that can result in a search
23 taking place, it doesn't always mean that Google is
24 generating revenue from the search that happens from
25 that.

Page 34

1 BY MS. HURST:
2   Q   It would depend whether that browser
3 directs the search to Google?
4   A   That's right.
5   MR. RAGLAND: Objection --
6   If you wait just a moment.
7   Objection; outside the scope.
8   THE WITNESS: Yes.
9 BY MS. HURST:
10   Q   Are there also applications that have
11 search boxes in them?
12   MR. RAGLAND: Same objection.
13   THE WITNESS: I can't think of any
14 offhand, but I can imagine there are.
15 BY MS. HURST:
16   Q   Are there Google applications that have
17 search boxes in them?
18   MR. RAGLAND: Same objection.
19   THE WITNESS: There is a Google Search
20 application for mobile.
21 BY MS. HURST:
22   Q   And what about the other Google apps such
23 as Gmail or Maps; do those also have search boxes
24 that might lead to opportunities for earning revenue
25 from keyword advertising?

Page 35

1   MR. RAGLAND: Objection to form and
2 outside the scope.
3   THE WITNESS: Chrome browser has a URL
4 field that people can search through, yes.
5 BY MS. HURST:
6   Q   As a browser on mobile devices?
7   A   Right.
8   MR. RAGLAND: Same objections.
9 BY MS. HURST:
10   Q   Any other Google applications have a
11 search box built in that might lead to opportunities
12 for Google to earn revenue from keyword advertising?
13   MR. RAGLAND: Objection to form, outside
14 the scope.
15   THE WITNESS: There are search fields in
16 many applications that are designed to help users
17 accomplish what they're looking for; however, most
18 of those don't lead to Google.com. In fact, I can't
19 think of any that link to Google.com.
20 BY MS. HURST:
21   Q   So when you mentioned that there was a
22 Google Search box on the home screen on some --
23 certain phones, what devices did you mean?
24   MR. RAGLAND: Objection; outside the
25 scope.

Page 36

1   THE WITNESS: Android's -- Android phones.
2 BY MS. HURST:
3   Q   Any others?
4   MR. RAGLAND: Same objection.
5   THE WITNESS: I don't -- it's possible,
6 but I don't know of any.
7 BY MS. HURST:
8   Q   Are you familiar with any search box on
9 iOS devices?
10   MR. RAGLAND: Objection; outside the
11 scope.
12   THE WITNESS: I don't use an iOS device
13 regularly, and at least on the home screen, I don't
14 recall there being a search box.
15 BY MS. HURST:
16   Q   Are you aware whether on an iOS device a
17 user can swipe down and -- and get a search box?
18   MR. RAGLAND: Objection to form and
19 outside the scope.
20   THE WITNESS: I don't use an iPhone enough
21 to know, but I wouldn't be surprised.

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10 (Pages 34 - 37)

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1 what you mean.
2 BY MS. HURST:
3   Q   Well, let me just back up.
4   How does Google earn money in connection
5 with display advertising?
6   MR. RAGLAND: Objection; outside the
7 scope.
8   THE WITNESS: We have some advertisers who
9 pay Google to place ads on Google properties.
10 BY MS. HURST:
11   Q   Can you give an example of what type of
12 property you're thinking of?
13   MR. RAGLAND: Same objection.
14   THE WITNESS: Google Maps.
15 BY MS. HURST:
16   Q   Is there any way in which Google receives
17 revenue for the display of advertising for sites
18 other than its own; in other words, some kind of an
19 advertising display network?
20   MR. RAGLAND: Objection; outside the
21 scope.
22   THE WITNESS: I believe so.
23 BY MS. HURST:
24   Q   And how does that work?
25   MR. RAGLAND: Same objection.

Page 40

1   THE WITNESS: From what I understand,
2 advertisers have creative content that they want to
3 be placed on these sites, and there are content
4 owners who allow those ads to be placed on their
5 sites for a share of the revenue.
6 BY MS. HURST:
7   Q   And what role does Google play in that
8 transaction?
9   MR. RAGLAND: Objection; outside the scope
10 and form.
11   THE WITNESS: We just manage the placement
12 of the content on those websites.
13 BY MS. HURST:
14   Q   And is that --
15   Does Google have agreements with those
16 website providers related to its management of the
17 content of that advertising on their sites?
18   MR. RAGLAND: Same objection.
19   THE WITNESS: I believe so, but I'm not
20 very close to it, to be honest.
21 BY MS. HURST:
22   Q   Other than display advertising on its own
23 properties and the network of other sites where
24 Google manages the placement of ads, are there any
25 other mechanisms whereby, to your understanding,

Page 41

17 BY MS. HURST:
18   Q   You mentioned display advertising as a
19 form of advertising on which Google makes money.
20   Is there any mechanism for the use of
21 display advertising in connection with mobile
22 devices?
23   MR. RAGLAND: Objection; outside the scope
24 and form.
25   THE WITNESS: I'm not sure what you're --

Page 39

11 (Pages 38 - 41)

1 Google earns revenue associated with display
2 advertising?
3   MR. RAGLAND: Objection; outside the
4 scope.
5   THE WITNESS: I don't know.
6 BY MS. HURST:
7   Q   You mentioned video advertising.
8   What are the mechanisms whereby Google
9 earns revenue in connection with video advertising?
10   MR. RAGLAND: Same objection.
11   THE WITNESS: I -- I don't know the
12 details. I'm just not close to it.
13 BY MS. HURST:
14   Q   Were you thinking of YouTube when you said
15 that?
16   MR. RAGLAND: Objection to form, outside
17 the scope.
18   THE WITNESS: I was thinking of YouTube,
19 yes.
20 BY MS. HURST:
21   Q   Because there's video role advertising
22 sometimes on YouTube films?
23   A   That I see, right.
24   Q   Right.
25   You mentioned application licensing as a

1 BY MS. HURST:
2   Q   Do you charge a licensing fee to hardware
3 partners for the use of Chrome OS?
4   MR. RAGLAND: Objection to form and
5 outside the scope.
6   THE WITNESS: No.
7 BY MS. HURST:
8   Q   How, if at all, do you make any money
9 associated with Chrome OS?
10   MR. RAGLAND: Same objections.
11   THE WITNESS: We believe that indirectly
12 the more people use the Web, the more they will see
13 advertisements. So it's very indirect.
14 BY MS. HURST:
15   Q   Well, how do those people seeing
16 advertisements result in money for Google?
17   MR. RAGLAND: Objection; outside the scope
18 and form.
19   THE WITNESS: Well, hopefully some of
20 those ads are being run through our display
21 advertising network. Hopefully they go to
22 Google.com and do searches, and we also generate
23 revenue from the Chrome Management Console, so for
24 companies and schools that are deploying, you know,
25 large fleets of piece devices, we generate revenue

1 form of ad-related revenue that Google receives.
2   How does that work?
3   MR. RAGLAND: Objection; outside the
4 scope.
5   THE WITNESS: It's not actually ad-related
6 revenue. That's just strictly software licensing.
7 BY MS. HURST:
8   Q   Okay.
9   Putting aside ad revenue, then, how does
10 Google earn revenue from application licensing?
11   A   So we have application suites like Google
12 Docs which companies can license.
13   Q   Other than application suites like Google
14 Docs, are there any others where Google earns
15 application licensing revenue?
16   A   We have something called Chrome Management
17 Console, which people use to manage Chromebooks and
18 other Chrome devices.
19   Q   Any others than Google Docs or Chrome
20 Management Console?
21   MR. RAGLAND: Objection; outside the
22 scope.
23   THE WITNESS: None that come to mind right
24 away. I think we also have cloud services.
25

1 for managing those devices.
2 BY MS. HURST:
3   Q   Is there any kind of search box in
4 Chrome OS?
5   MR. RAGLAND: Objection; form, outside the
6 scope.
7   THE WITNESS: There's a search box if you
8 go to Google.com and if you are using the Chrome
9 browser in Chrome OS, there is the URL -- we call it
10 the Omnibox -- that allows people to type in a Web
11 page or search terms.
12 BY MS. HURST:
13   Q   Other than through the use of browsers,
14 are there any other search capabilities in
15 Chrome OS?
16   MR. RAGLAND: Same objection.
17   THE WITNESS: For certain Chrome devices,
18 we have Google Now service where people can submit a
19 voice query.
20 BY MS. HURST:
21   Q   Other than Google Now or browsers, are
22 there other search capabilities in Chrome OS?
23   MR. RAGLAND: Objection; outside the
24 scope.
25   THE WITNESS: It depends on -- I mean,

12 (Pages 42 - 45)

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1 it's a -- it's a platform, so if they have installed
2 search extensions from third parties or applications
3 from third parties that have search capabilities,
4 then they would have those as well.
5 BY MS. HURST:
6   Q   Can you give me an example of a type of
7 device that uses Chrome OS?
8   MR. RAGLAND: Objection; outside the
9 scope.
10   THE WITNESS: There's a -- well, lots
11 of -- lots of notebook computers that we call
12 Chromebooks.
13 BY MS. HURST:
14   Q   And is the Chrome OS an open source
15 operating system?
16   MR. RAGLAND: Objection; outside the
17 scope, also to form.
18   THE WITNESS: Chrome OS is based on
19 Chromium OS, which is completely open source.
20 Chrome OS itself is licensed software.
21 BY MS. HURST:
22   Q   So it is --
23   All parts of Chrome OS are not open; is
24 that true?
25   A   That's correct.

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1   MR. RAGLAND: Objection to form and
2 outside the scope.

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13 (Pages 46 - 49)
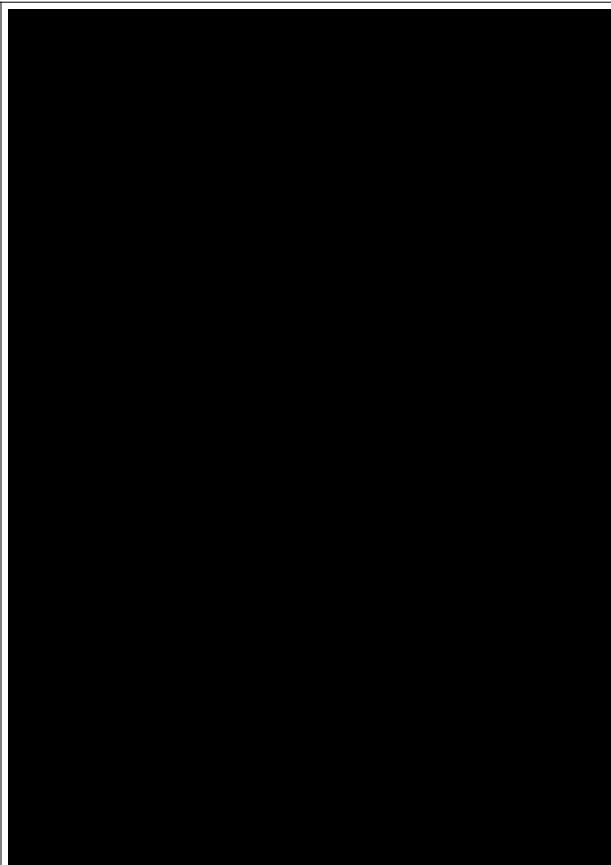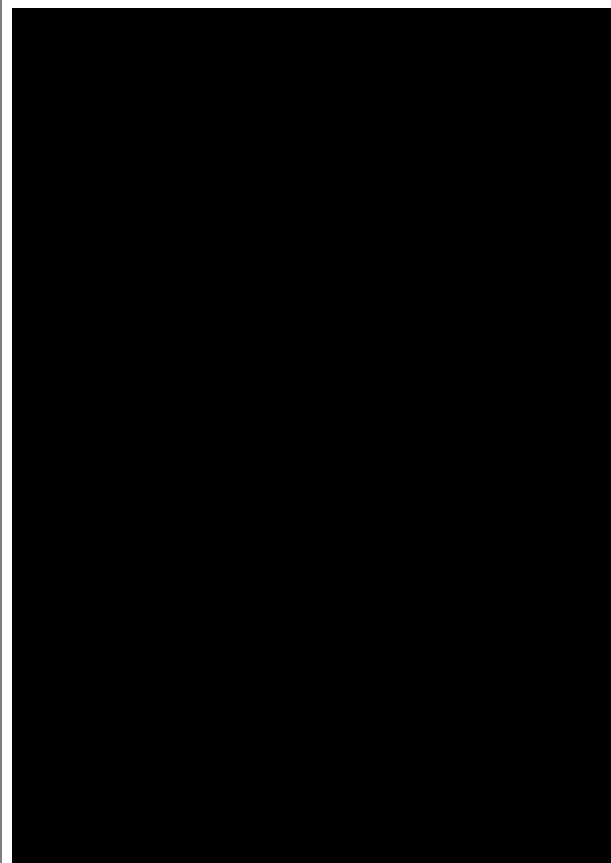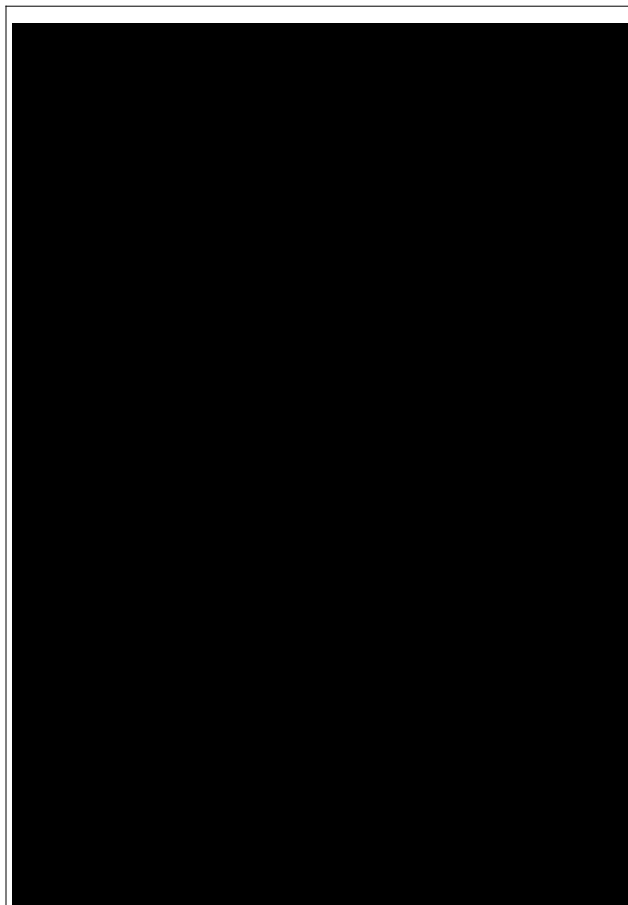
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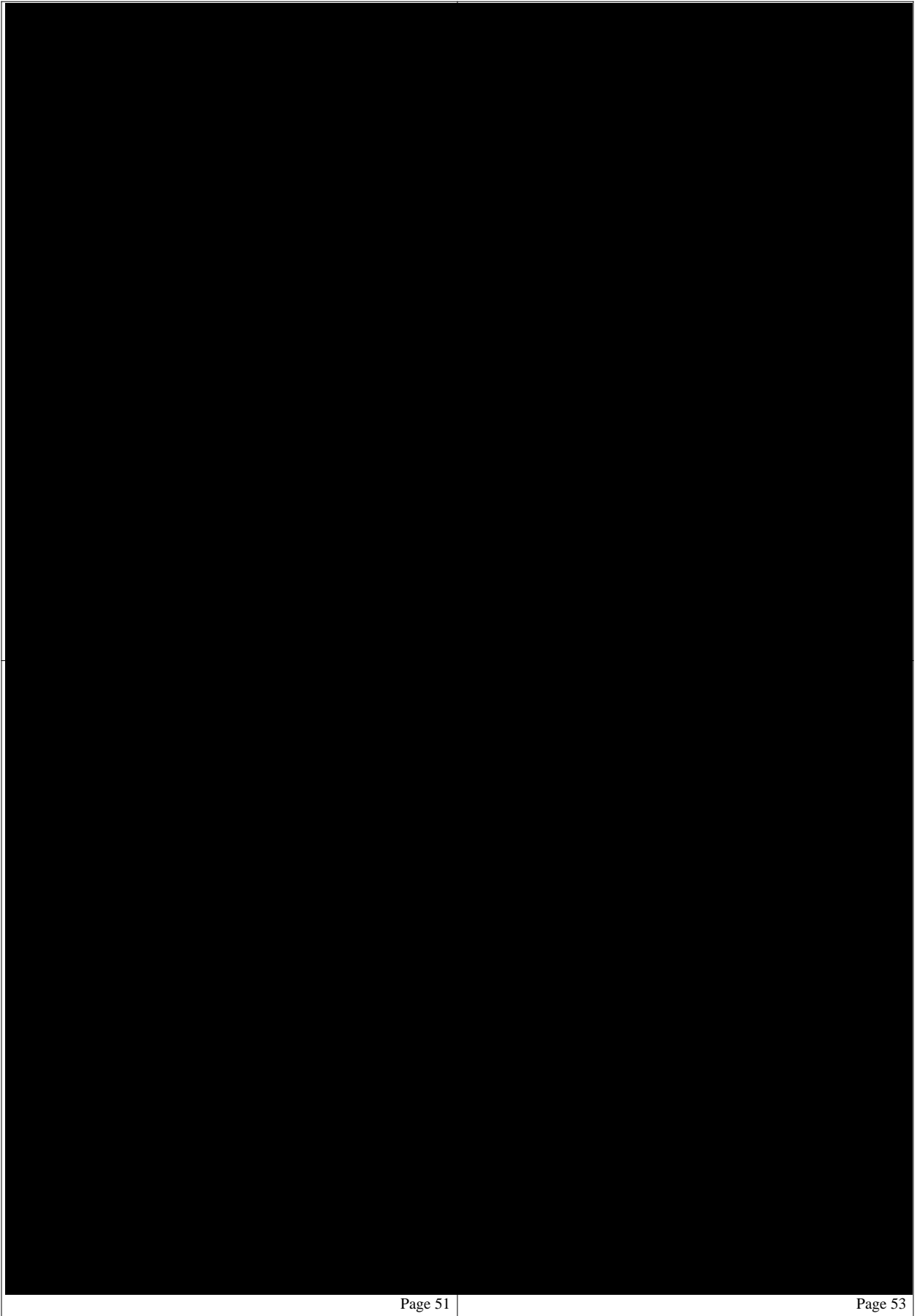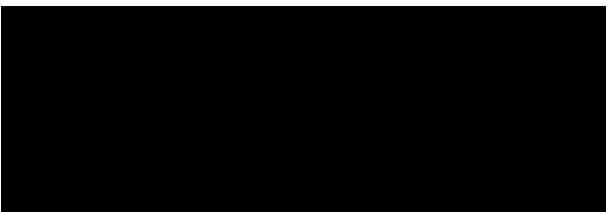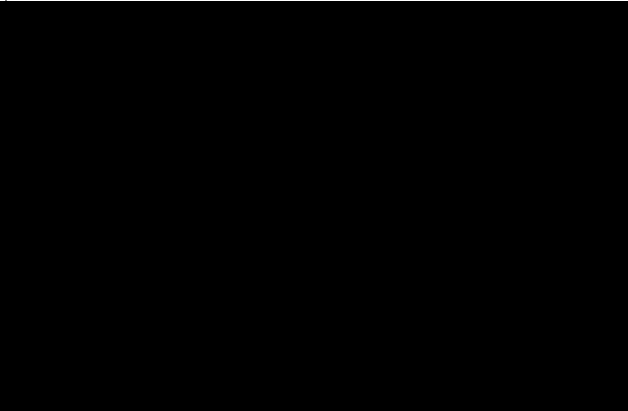
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14 (Pages 50 - 53)

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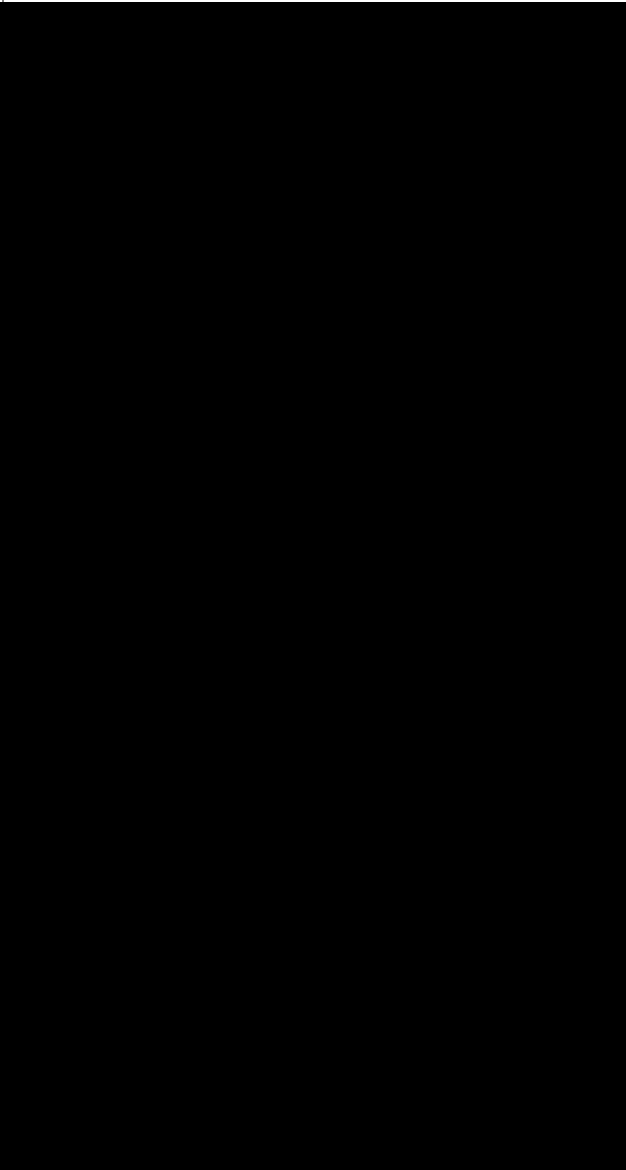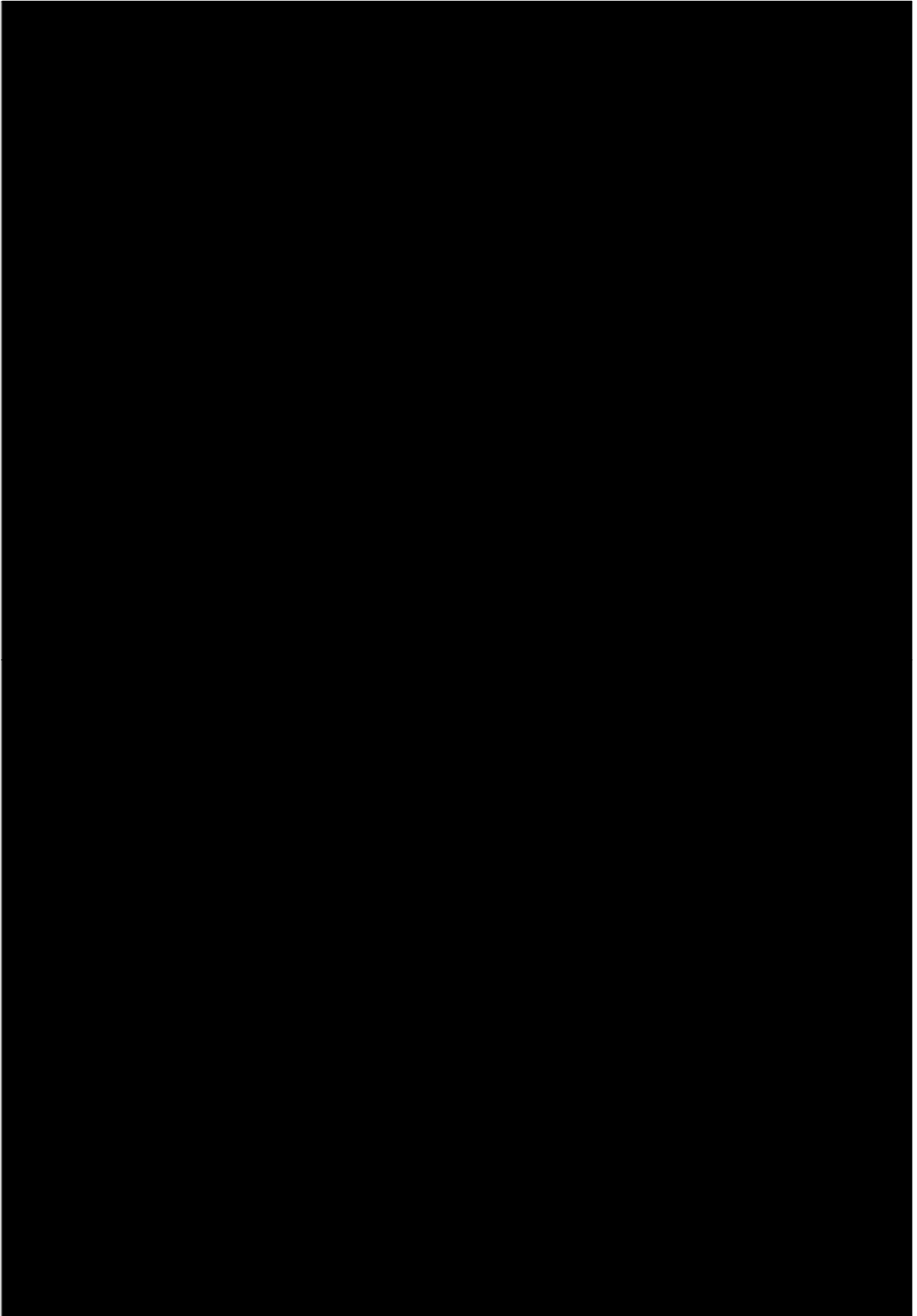
1   THE WITNESS: Chrome OS makes use of all
2 of the Web APIs for developing applications with
3 HTML5 and JavaScript.
4 BY MS. HURST:
5   Q   Other than HTML5 and JavaScript, are there
6 any other developer-oriented APIs associated with
7 Chrome OS?
8   MR. RAGLAND: Same objections.
9   THE WITNESS: We allow people to write
10 applications in native languages like C using a
11 facility called Native Client.
12 BY MS. HURST:
13   Q   And is that Native Client associated with
14 some other platform?
15   MR. RAGLAND: Objection to form and
16 outside the scope.
17   THE WITNESS: What -- what other
18 platforms?
19 BY MS. HURST:
20   Q   Well, for example, the JNI interface as
21 part of the Java platform is a way of allowing
22 people to integrate applications written in native
23 languages.
24   Are you using --
25   A   We don't support Java on Chrome OS.

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1   MR. RAGLAND: We've been going about an
2 hour. When it's a convenient time for a break...
3   MS. HURST: Just a few moments and I'll be
4 ready.
5   MR. RAGLAND: That's fine.
6 BY MS. HURST:
7   Q   So the Native Client that you mentioned,
8 is that associated with JavaScript? What's it
9 associated with?
10   MR. RAGLAND: Objection to form and
11 outside the scope.
12   THE WITNESS: It's associated with C
13 primarily, C++.
14 BY MS. HURST:
15   Q   And is that -- is that built into
16 Chrome OS, that Native Client capability?
17   MR. RAGLAND: Same objections.
18   THE WITNESS: Yes.
19   MS. HURST: All right. This is a
20 convenient time if you'd like a break.
21   MR. RAGLAND: Thank you.
22   THE VIDEOGRAPHER: Going off the record.
23 The time is 10:57.
24   (Recess taken.)
25   THE VIDEOGRAPHER: We're back on the

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22   Q   Does the Chrome OS have a set of developer
23 APIs?
24   MR. RAGLAND: Objection to form, outside
25 the scope.

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15 (Pages 54 - 57)

1 record. The time is 11:09.
2 BY MS. HURST:
3   Q   Mr. Lin, other than the Chrome browser,
4 are there any Google applications that are routinely
5 distributed with Chrome OS?
6   MR. RAGLAND: Objection; outside the
7 scope.
8   THE WITNESS: We don't actually distribute
9 them, but we provide links to things like Google
10 Docs, Google Drive and other services that are
11 helpful to end users as part of that platform.
12 BY MS. HURST:
13   Q   And when you say "links," do you mean a
14 link in a browser or a link on a home page? What
15 are you referring to?
16   A   It's an application launcher.
17   Q   And are there any non-Google services or
18 applications that are routinely distributed with the
19 Chrome OS?
20   MR. RAGLAND: Same objections.
21   THE WITNESS: Adobe Flash and various --
22 various codecs.
23 BY MS. HURST:
24   Q   Any others?
25   A   Not that come to mind immediately.

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7   Q   Pardon me.
8   Returning to Exhibit 5003 that you have in
9 front of you, there's a -- page 7, you see a series
10 of numbered paragraphs there, 2 through 8.
11   A   Uh-huh.
12   Q   Have you seen this document before?
13   A   This is the first time I've seen this.
14   Q   Okay.
15   Topic 3 is listed as:
16   "Google Play Services,
17   including the nature, purpose and
18   operation of Google Play Services,
19   your licensing, marketing,
20   advertising or distribution thereof
21   and any cost, expenses or revenue
22   associated with Google Play
23   Services."
24   Do you see that topic?
25   A   Yes.

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1   Q   And when you say "codecs," do you mean
2 applications that assist with the use of audio or
3 video?
4   A   Yes.
5   Q   Is there any kind of a market for
6 downloading applications for Chrome OS?
7   A   We have a Chrome Web Store.
8   Q   And approximately how many non-Google
9 applications are available in the Chrome Web Store?
10   MR. RAGLAND: Objection; outside the
11 scope.
12   THE WITNESS: I think it's in the tens of
13 thousands.

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1   Q   And is it your understanding that you are
2 proffered here by Google to testify today on some
3 portion of Topic 3?
4   A   Yes.
5   Q   And -- and using your own words, what's
6 your understanding of that aspect of Topic 3 that
7 you're to cover?
8   A   Just exactly what it says here: The
9 purpose and operation of Google Play Services for
10 what it is and how it's used.
11   Q   All right.
12   MR. RAGLAND: Actually, if I could refer
13 back to the discussions we've had among counsel as
14 to the scope of Topic 3, we're presenting Mr. Lin on
15 the aspect of Topic 3 related to licensing,
16 marketing, advertising or distribution of Google
17 Play Services.
18 BY MS. HURST:
19   Q   All right.
20   Did you hear that proffer by your counsel,
21 Mr. Lin?
22   A   I did.
23   Q   And do you consent to testify here today
24 on behalf of Google, Inc. regarding the licensing,
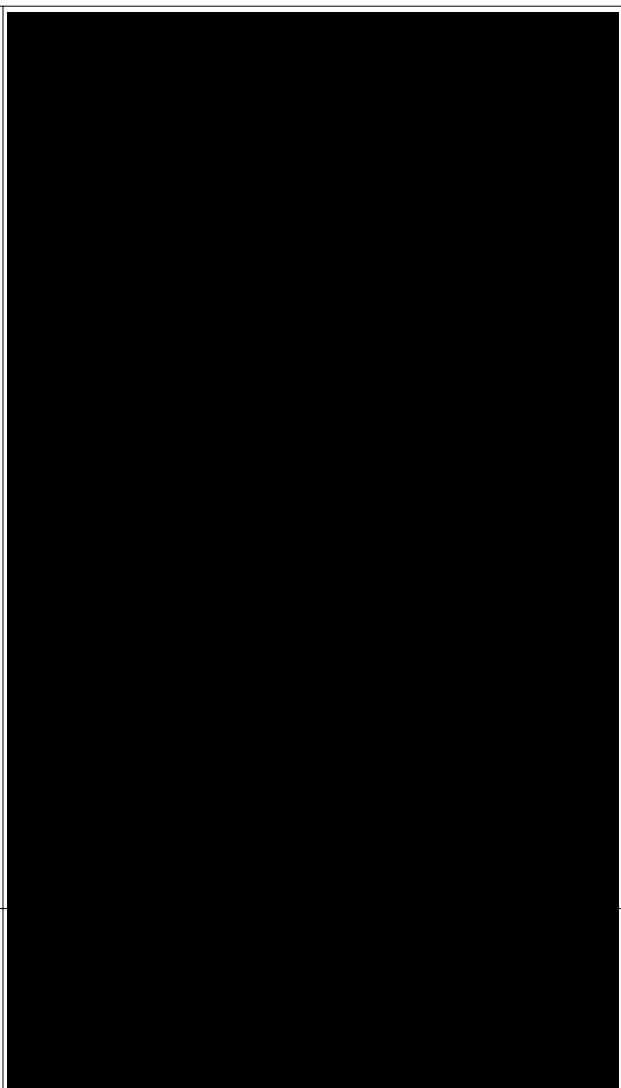25 marketing, advertising or distribution of Google

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16 (Pages 58 - 61)

1 Play Services?
2   A   Yes.
3   MS. HURST: Do you want to make a similar
4 proffer with respect to Topic 4, Mr. Ragland?
5   MR. RAGLAND: No.
6   MS. HURST: So it's all of Topic 4,
7 correct?
8   MR. RAGLAND: All of Topic 4. There is a
9 limitation on Topic 5. We can get to that whenever
10 you like.
11   MS. HURST: All right.
12 BY MS. HURST:
13   Q   So, Mr. Lin, you heard Mr. Ragland state
14 that you're being offered to testify on all of
15 Topic 4, true?
16   A   Uh-huh.
17   Q   Yes?
18   A   Yes.
19 BY MS. HURST:
20   Q   Thanks.
21   And do you consent to testify on Topic 4
22 on behalf of Google?
23   A   Yes.
24   MS. HURST: All right. Mr. Ragland, do
25 you want to make your designation with respect to

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1 Topic 5?
2   MR. RAGLAND: Sure. As to Topic Number 5,
3 Mr. Lin is designated to testify as to mobile
4 agreements with OEMs or carriers regarding Google
5 services on non-Android devices. And by "Google
6 services," that's defined as Google Mobile Services
7 and Google Play Services.
8   MS. HURST: Well, I'm not sure that's how
9 we defined it. I think it was broader than that,
10 but that's all right. I think we understood the
11 designation on Topic 5 to be broader than that based
12 on the prior correspondence. I'm not sure there's
13 much we can do about that right now.
14 BY MS. HURST:
15   Q   You've heard, Mr. Lin, your counsel's
16 proffer as to your designation on Topic 5?
17   A   Yes.
18   Q   And do you consent to testify on behalf of
19 Google with respect to Topic 5 as identified by your
20 counsel?
21   A   Yes.

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1   A   Just had some conversations with our
2 lawyers.
3   Q   And when did those conversations occur and
4 approximately how long did they last?
5   A   It was a few hours on Thursday.
6   Q   Did you undertake any other efforts to
7 prepare specifically to testify on Topics 3, 4 or 5?
8   A   I took a quick look at a couple of
9 agreements that they showed me.
10   Q   And were those agreements that you were
11 already familiar with?
12   A   Yes.
13   Q   And did they refresh your recollection in
14 any way when you looked at those agreements in order
15 to prepare yourself?
16   A   Yes.
17   Q   Which agreements were they?

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17 (Pages 62 - 65)

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6   that was just a generic Apache Version 2 license?
7   A   Yes.
8   Q   What is Google Mobile Services?
9   A   Google Mobile Services is a bundle of
10 Google's first-party mobile applications.
11   Q   What is Google Play Services?
12   A   Google Play Services is a set of
13 applications that don't have a specific user
14 interface, but they provide core application
15 functionality.
16   Q   Is Google Mobile Services for Android or
17 non-Android operating systems or both?
18   MR. RAGLAND: Objection to form.
19   You can answer.
20   THE WITNESS: So Google Mobile Services
21 includes the first-party apps on Android. Google
22 Mobile Services include the first-party applications
23 that most people are familiar with, which include
24 things like Gmail, Chrome, YouTube. And for iOS,
25 that's what people think of when they think of

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19 (Pages 70 - 73)

1 Google Mobile Services.
2   On Android, in addition to the
3 applications I described, there's also the Google
4 Play Store, which is where applications can be
5 downloaded, and Play Services are the application
6 services that on Android enable things like Play
7 Services to operate. So it's services like
8 authentication and, you know, all of the additional
9 services required to keep track of, you know,
10 in-application payments, things like that.
11   So I think of them as -- refer to them as
12 headless applications because they don't actually
13 have a interface that users typically interoperate
14 with.
15 BY MS. HURST:
16   Q   Similar to the codecs you mentioned for
17 Chrome OS, for example?
18   A   That's right. That's right.
19   Q   Now, these headless applications in Google
20 Play Services, did any of that functionality -- has
21 any of that functionality ever been provided as part
22 of the Android platform?
23   MR. RAGLAND: Objection; outside the scope
24 and form.
25   THE WITNESS: I do not believe so.

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1 automatically included as part of that?
2   A   That's right.
3   Q   So why not include these headless
4 applications in the Android platform itself?
5   MR. RAGLAND: Objection to form, outside
6 the scope of noticed topics.
7   THE WITNESS: In the absence of Google's
8 first-party applications and the Play Store, they're
9 not relevant.
10 BY MS. HURST:
11   Q   Well, in-application payments is something
12 that certainly could be done without a Google
13 application, true?
14   MR. RAGLAND: Objection to form, outside
15 the scope.
16   THE WITNESS: There are so many ways to
17 implement the in-app payments that without the
18 specific rest of the solution, I'm not sure it would
19 be relevant.
20 BY MS. HURST:
21   Q   Relevant to what?
22   A   To Android.
23   Q   Well, does Android, for example, support
24 payment processing in connection with Near Field
25 Communications?

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1 BY MS. HURST:
2   Q   Prior to -- well, how long has Google Play
3 Services been around?
4   A   I don't actually know.
5   Q   Was Google Play Services available at
6 the -- at the initial launch of Android?
7   A   I don't think so.
8   Q   It came about later, true?
9   A   That's correct.

19   Q   When you say "the bundle," what are you
20 referring to?
21   A   The Google mobile applications, so it
22 would be the set of applications, Mail, YouTube,
23 Chrome, Google Hangouts, Google Photos, Google Docs
24 and Drive, Play Music.
25   Q   So the Google Play Services are

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1   MR. RAGLAND: Objection; outside the
2 scope, also form.
3   THE WITNESS: I don't think Android
4 provides those facilities directly in any of the
5 major releases of Android. However, I believe that
6 phone manufacturers and other third parties have the
7 ability to add those capabilities to their specific
8 implementations.
9 BY MS. HURST:
10   Q   Does Google Wallet work with Near Field
11 Communications?
12   MR. RAGLAND: Same objections.
13   THE WITNESS: Google Wallet requires NFC,
14 Near Field Communications. The -- yes.
15 BY MS. HURST:
16   Q   And is Google Wallet a first-party Google
17 application?
18   A   I'd have to double check. I don't think
19 Google Wallet is part of GMS today.
20   Q   Is Google Wallet compatible with the
21 Android platform?
22   MR. RAGLAND: Objection to form, outside
23 the scope.
24   THE WITNESS: Google Wallet is compatible
25 with Android.

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20 (Pages 74 - 77)

BY MS. HURST:

Q   When you said that third parties have the ability to add Near Field Communication capabilities to their specific implementations, did you mean they have the ability to use Google Wallet or some -- something else?

A   So with every release of Android, we have a compatibility definition document which stipulates the minimum set of functionality and features that we expect to be part of the platform. Beyond that, hardware manufacturers can really implement and add any features and functionality that they would like to add.

So depending on what version of Android you're talking about, you know, we constantly add new features, and in newer releases, that additional functionality, then, becomes part of the compatability requirement.

So in earlier releases, there may be some things that we didn't require, and later releases, we've added more of those. But at any point in time, the hardware manufacturers can add things that are not part of the general platform.

So, for example, Samsung today has Samsung Pay, which uses some patented technology that they

have, which is not NFC based and allows the Samsung hardware to actually work with magnetic stripe readers. So it's an alternate payment solution, and that's not part of the standard Android platform.

Q   It's also not part of Google Play Services, as you've described it, true?

A   Samsung play -- Samsung Pay is not part of Google Play Services.

Q   Is there any technical reason why everything in Google Play Services could not be included as part of the basic Android platform?

MR. RAGLAND: Objection to form and outside the scope of noticed topics.

THE WITNESS: Well, Google Play Services are proprietary, just like Google first-party apps, like Gmail, YouTube. So there's no reason why Google would necessarily want to make it open source, and even if we did, you know, other -- other third parties might look for ways to do things differently.

Q   Is it true that headless applications generally are not visible to the end user?

MR. RAGLAND: Objection to form.

THE WITNESS: Users don't have a direct interface like they do with Gmail. However, we're not -- we don't hide them from the user, so if a user is interested in seeing what programs are running on their Android device, they'll see it.

BY MS. HURST:

Q   But -- but users generally don't instruct, directly or otherwise -- interact directly with headless applications, true?

MR. RAGLAND: Objection to form and scope.

THE WITNESS: I think it's a matter of how you would describe it. I mean, part of -- for example, the -- one of the services, authentication services, the user is signing in or they're signed in to Android, and we're keeping track of that.

Does that mean that they are trying to engage with the log-in? I mean, in some ways it's happening, you know, behind the scenes for them. They are actively engaged with it, but not in those same way that they might think of when they're talking about composing e-mail or reading e-mail.

1 BY MS. HURST:
2   Q   What does the application -- pardon me, I
3 misspoke. Strike that.
4   What does the authentication functionality
5 of Google Play Services provide?
6   A   It ensures that the person we think is
7 signed in and going to purchase something is
8 actually the person who is that account owner.
9   Q   And is there any reason why you would not
10 want that to be true for every single device running
11 the Android platform?
12   MR. RAGLAND: Objection to form and
13 outside the scope of noticed topic.
14   THE WITNESS: It's -- it's not strictly up
15 to us to decide that there should be only one
16 authentication mechanism for all devices and that we
17 should have access to all that information.
18 BY MS. HURST:
19   Q   Is there authentication capability built
20 into the Android platform, apart from that in GPS?
21   MR. RAGLAND: Same objections.
22   THE WITNESS: What's -- what's GPS?
23 BY MS. HURST:
24   Q   Google Play Services.
25   A   Oh. Different manufacturers of devices,
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1 Services.
2 BY MS. HURST:
3   Q   But that would not be part of the Android
4 platform, true?
5   MR. RAGLAND: Same objections.
6   THE WITNESS: It's part of -- well, it's
7 part of their Android solution.
8 BY MS. HURST:
9   Q   Is that the Android platform?
10   A   How are you defining "the Android
11 platform"?
12   Q   Well, the Android platform is the thing
13 that Google provides, right?
14   MR. RAGLAND: Objection to form.
15   THE WITNESS: The Android platform -- if
16 you're talking -- if what you mean is the Android
17 open source release, the Android open source release
18 I do not believe has any authentication built in,
19 and it's only what third-party manufacturers add to
20 the open source release that actually provides that.
21   So -- again, so I'm not sure what you mean
22 by "platform." Android open source platform, from
23 that standpoint, doesn't actually exist in that form
24 on any device. There's nobody that ships that
25 particular release of software in that way. They
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1 in addition to using Google accounts to operate all
2 the Google Mobile Services, also create their own
3 accounts so that they can sell content, services and
4 applications, and carriers also create accounts on
5 phones, and they have their own authentication
6 mechanism to doing so.
7   So it's not clear that single
8 authentication mechanism is either, A, what the
9 users would want, B, what the developers -- content
10 developers or application creators would want and,
11 C, it's unclear that you could have a single
12 authentication mechanism that would satisfy the
13 requirements of folks like the carriers.
14   MS. HURST: All right. Let me try this
15 again. I'm going to move to strike that as
16 nonresponsive.
17 BY MS. HURST:
18   Q   Is there authentication capability built
19 into the Android platform apart from that of Google
20 Play Services?
21   MR. RAGLAND: Objection to form and beyond
22 the scope of noticed topics.
23   THE WITNESS: So what I would say is every
24 device is different, and I can tell you that there
25 are devices that have more than just Google Play
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1 always add to it.
2 BY MS. HURST:
3   Q   Has that always been the case?
4   A   Yes. I can't think of anybody -- like I
5 said, I can't think of anybody who just ships a
6 phone with only Android open source and nothing
7 else.
8   MS. HURST: Mr. Ragland, more than 100
9 agreements related to these topics were produced on
10 Friday and more than a thousand documents from this
11 witness' custody were produced on Saturday night at
12 11:00 p.m. We have not yet had the opportunity to
13 load and process those documents for use in
14 connection with this deposition.
15   It is, therefore, my proposal to you that
16 we conduct about half of this deposition today and
17 that we adjourn the other half to a date when we
18 have had an opportunity to review those and any
19 other documents that are forthcoming associated with
20 these topics and from the custody of this witness.
21   The reason I'm raising this with you now
22 is because I need your agreement that you're not
23 going to assert either the cutoff or the seven-hour
24 limit in light of our decision to proceed today with
25 the late production of documents.
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22 (Pages 82 - 85)

1   And if we can't come to an agreement on
2 that, then it's my intention to attempt to contact
3 Magistrate Judge Ryu to assist in resolution of the
4 matter, given the late production of documents. I
5 don't think enormous recriminations are necessary.
6 We're prepared to engage in them if required, but
7 I'm trying to propose a reasonable solution rather
8 than that approach. So...
9   MR. RAGLAND: Well, why don't we -- it's
10 about noon. I don't know when you're planning to
11 take a lunch break, but I agree it's not helpful to
12 get into a back and forth on the transcript here.
13 Why don't we discuss it after a break.
14   MS. HURST: Okay. The only thing I would
15 say to that is I would like -- if we're going to
16 need the magistrate's assistance, to try to contact
17 her chambers at the lunch break in order to see if
18 she's available this afternoon.
19   Would it be reasonable to take a short
20 break now, allow you all to confer amongst
21 yourselves and with your colleagues and then come
22 back and see whether you think we're going to be
23 amenable to some agreement on that so that I know
24 whether to contact the magistrate over the lunch
25 hour?

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1   MR. RAGLAND: That's fine. Obviously,
2 there's a number of questions that spring to my mind
3 with regard to, you know, situations of witnesses
4 that we may have had late production of documents
5 given that we're all rushing to get things out, but
6 we can talk about those details. Maybe we can come
7 back from a break.
8   MS. HURST: All right. Well, so -- I
9 mean, you can try to turn this into a global
10 stipulation. I don't know that that's going to be
11 successful, and I hope we won't go down that road,
12 because it's my understanding that almost without
13 exception, we produced the documents from the
14 custody of each witness who's been deposed at least
15 six days in advance of that deposition. That was
16 not true here.
17   MR. RAGLAND: I don't believe that's
18 accurate. But, again, I don't necessarily want to
19 spend time arguing about this right now.
20   Why don't we take a short break, 10
21 minutes or so, and come back and we'll have each
22 other's position.
23   MS. HURST: All right. Thank you.
24   THE VIDEOGRAPHER: Going off the record.
25 The time is 11:52.

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1   (Recess taken.)
2   THE VIDEOGRAPHER: We're back on the
3 record. The time is 12:14.
4   MR. RAGLAND: Okay. So here's our
5 position: This is the first we've heard of any
6 complaint about production of custodial documents
7 related to Mr. Lin. We're all working on producing
8 documents as fast as we can, given the truncated
9 discovery period.
10   One thing that's frustrated our production
11 is, in fact, Oracle's ever-shifting demands on items
12 like ESI terms and -- which still we haven't closed
13 out, despite more than a month of meeting and
14 conferring on, and we think we have a deal, but we
15 still haven't heard back since at least last
16 Thursday, I believe. And so it's a moving target.
17 Also with pre-2011 production, there are issues.
18   And so we're working through all of that
19 as quickly as we can. The volume associated with
20 Mr. Lin, although I don't have the exact numbers on
21 hand -- perhaps you do -- I know it's much smaller
22 than with many other witnesses. And so we're
23 basically all doing what we can to prepare for the
24 depos as much as we can.
25   You can choose to proceed today. Mr. Lin

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1 is here, he's available for both 30(b)(6) and
2 percipient testimony for seven hours, and that's
3 where we are.
4   MS. HURST: So you're refusing to agree
5 either to hold open the deposition to a date past
6 the cutoff or to agree to waive the seven-hour
7 requirement in light of the late production?
8   MR. RAGLAND: Well, I would take issue
9 with the characterization of a late production. And
10 we're not making agreement with that. I did ask
11 whether or not there's any reciprocity here because
12 obviously Oracle is producing documents, large
13 volumes of documents, very close to depositions of
14 witnesses. But you don't want to talk about that,
15 so if we're just here talking about Mr. Lin, he's
16 here. You should depose him, and we're not -- we've
17 got other depositions coming up that we're all
18 working to cover and, you know, you should proceed.
19   MS. HURST: Okay. Let me ask you a couple
20 of questions, Mr. Ragland. For production, we
21 received Saturday night at 11:00 p.m. When exactly
22 do you think we should have raised it between then
23 and now?
24   MR. RAGLAND: You can raise issues.
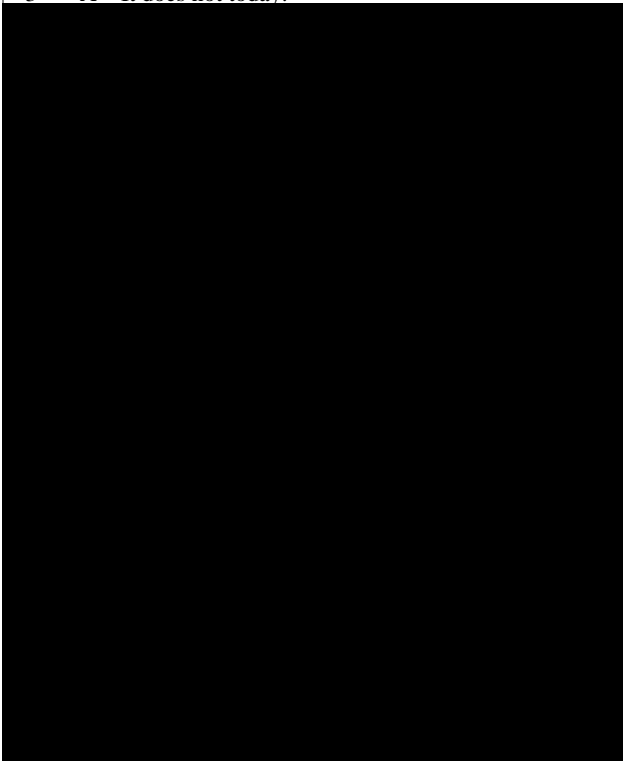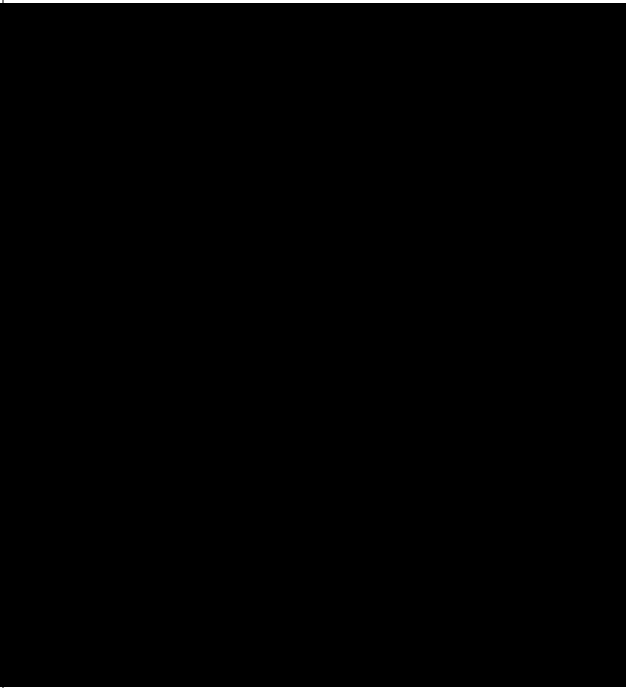25 You've had no shyness about raising issues whenever

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23 (Pages 86 - 89)

1 you think there's problems. So you could have
2 raised them.
3   MS. HURST: On Sunday at 2:00 p.m.?
4 Sunday at 4:00 p.m.? Exactly when, Mr. Ragland?
5   MR. RAGLAND: Okay. The sort of snide
6 tone is not appreciated. I will say --
7   MS. HURST: It's also not appreciated --
8   MR. RAGLAND: Excuse me. Excuse me. I
9 will say that for witnesses for whom I'm
10 responsible, I looked in advance to find out whether
11 or not the documents I think that are necessary to
12 prepare to take that deposition are available. If I
13 had any questions, I would have raised that. So
14 whenever you start preparing, if you thought, oh,
15 there may be documents that haven't been produced
16 that are necessary for my preparation, that's the
17 time I would have reached out.
18   MS. HURST: All right. Judge Alsup's
19 order says:
20   "If documents are produced in
21   a time frame that cannot be used
22   for a deposition, the deposition
23   can be reopened."
24   It already says that in Judge Alsup's Case
25 Management Order.

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1   You produced more than a thousand
2 documents from this witness on Saturday night at
3 11:03 p.m. Our -- our document vendor hasn't even
4 been able to load those documents into our
5 relativity database yet.
6   You'll appreciate, Mr. Ragland, that I
7 don't usually take opposing counsel's word for it as
8 to whether I need documents to complete a deposition
9 or not. And the bind that you've put us in is that
10 I don't know what's in there, and if I go seven
11 hours with this witness today, you'll take the
12 position that I can't continue later. That is a
13 bind that is entirely of your making.
14   You have -- in terms of reciprocity, you
15 haven't identified any witness by name for whom this
16 is a problem for your side. And if you do, the
17 people responsible for that witness will be more
18 than happy to meet and confer about it and reach
19 agreements that are appropriate in light of the
20 circumstances. We're here right now with respect to
21 this witness.
22   So if you're not going to agree to provide
23 us with some relief from the fact that you produced
24 a huge volume of documents relevant to this
25 deposition on Friday at 7:14 p.m. and Saturday at

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1 11:03 p.m., then I am going to seek relief from the
2 magistrate judge. So it's up to you whether you
3 want to reach a stipulation about this witness.
4 We'll certainly happily meet and confer about any
5 problems you identify on our side, specifically the
6 people responsible for those witnesses will deal
7 with it. We're here now with this witness.
8   MR. RAGLAND: Well, initially a thousand
9 documents is actually a very small volume given
10 the -- given the case and given the production
11 demands of lots of irrelevant information that
12 Oracle has made.
13   That aside --
14   MS. HURST: Are you representing that the
15 documents you produced on Saturday night were
16 responsive only to our keywords and not to any of
17 yours; is that your representation?
18   MR. RAGLAND: I'm not making
19 representations about what was and was not produced
20 on Saturday.
21   MS. HURST: Then please refrain from
22 asserting that somehow those documents were produced
23 out of the goodness of your heart for us.
24   MR. RAGLAND: Usually meeting and
25 conferring involves an actual attempt to meet and

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1 confer rather than accusations with a tone of voice
2 that is completely improper.
3   MS. HURST: I made a very specific
4 proposal about how to resolve this. I gave you two
5 options; those have been on the table since the
6 beginning. You came in and just completely rejected
7 all of that. So don't tell me about whether meet
8 and confers can be constructive or not when you're
9 not putting anything on the table designed to
10 resolve the situation.
11   MR. RAGLAND: My question was actually
12 going to be -- if you would stop for a second and
13 actually listen to what I'm saying rather than just
14 trying to fight, is: What exactly are you
15 proposing? Are you proposing reserving a set amount
16 of time with regards to those Saturday -- those
17 thousand documents from Saturday? Is that what
18 you're suggesting, or are you suggesting something
19 else? Because I've heard that you want to go seven
20 hours today and then have more time later. So what
21 exactly are you proposing?
22   MS. HURST: Here is what I said before the
23 break: "My proposal to you is that we conduct about
24 half of this deposition today and that we adjourn
25 the other half to a date when we have had an
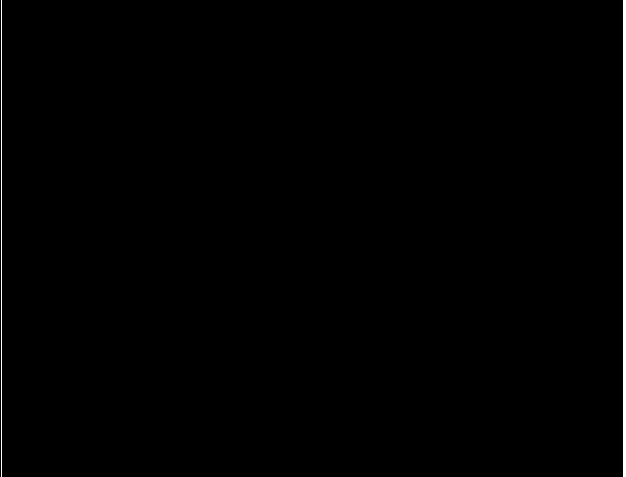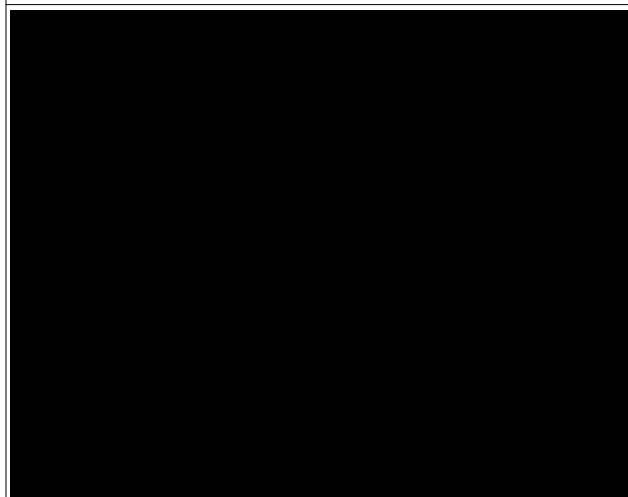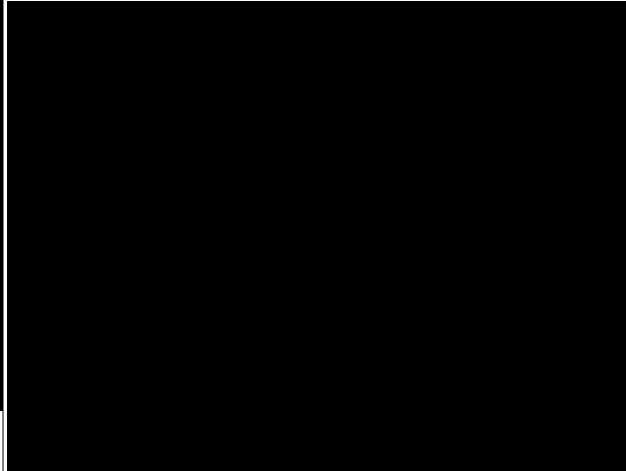
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24 (Pages 90 - 93)

1 opportunity to review the recently" -- pardon me. I
2 said "those and any other documents that are
3 forthcoming associated with these topics and from
4 the custody of this witness."
5   I'm not going to limit the later
6 examination to things produced on Saturday night
7 because the Friday production is also unusable to
8 us, so -- and I don't know what else might still be
9 coming for this witness.
10   So my proposal was three and a half hours
11 today and another three and a half hours that we
12 adjourn to a mutually-convenient time when we've had
13 a chance to review the documents that have just been
14 produced and any more that are forthcoming.
15   MR. RAGLAND: What later point of time are
16 you proposing?
17   MS. HURST: Is there more forthcoming for
18 this witness and for these topics?
19   MR. RAGLAND: My understanding -- and I
20 can check -- is that everything has been produced
21 with relation to -- to Mr. Lin. I can check on
22 that, but that's my understanding.
23   MS. HURST: What date do you propose?
24   MR. RAGLAND: Well, you're making the
25 proposal. I don't know. Are you talking --

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1 loaded yet.
2   MR. RAGLAND: So practically it would
3 be -- I don't know Mr. Lin's availability right now
4 because I don't know the time frame you're asking.
5 Practically you're suggesting it would be Thursday
6 or Friday of this week?
7   MS. HURST: Or early next week.
8   MR. RAGLAND: Or early next week?
9   MS. HURST: Yes, that's what I'm
10 suggesting.
11   MR. RAGLAND: Well, I -- I do want to find
12 out what the -- do you have the volume for the
13 Friday production?
14   MS. HURST: What I have is 1500 pages --
15 1500-plus pages, which included more than 100
16 agreements that are relevant to Topics 3, 4 and 5.
17   MR. RAGLAND: Okay. So apparently about
18 100 documents comprised about 1500 pages?
19   MS. HURST: Right. There may be other
20 things in that 1500 pages. I don't know. I'm
21 telling you what information I have. Obviously we
22 haven't fully reviewed every single thing yet.
23   MR. RAGLAND: I understand.
24   So I need to -- shall we take a lunch
25 break, a brief one?

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1   MS. HURST: Well, I don't know when the
2 witness is available, Mr. Ragland. I wouldn't
3 presume -- usually under local Rule 30 whatever,
4 whatever, the way we do this is the party who's
5 presenting a witness proposes the dates, not the
6 other way around.
7   MR. RAGLAND: What I mean -- and, again,
8 if you would let -- if you would actually have a
9 discussion rather than just looking for
10 opportunities to pounce, I'm asking, do you, in your
11 mind, mean next week? Do you mean January? Do you
12 mean February?
13   What sort of thing -- are you talking
14 about Wednesday? What sort of thing are you talking
15 about?
16   MS. HURST: Well, no. Well, before -- in
17 sufficient time to be used for the first round of
18 expert reports that are due on January 8th, so I
19 would think that that would mean sometime before the
20 Christmas holiday.
21   I don't know, you know, whether we have
22 the documents from Saturday night loaded, or I would
23 be more specific and give you -- say to you, you
24 know, in the next couple of days. I don't think I
25 can do that because we don't have the documents

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1   MS. HURST: Sure.
2   MR. RAGLAND: And then we can hopefully
3 figure out where we are after that. I mean, we can
4 do a half hour lunch.
5   MS. HURST: Well, that might be -- is that
6 okay with the reporter?
7   THE REPORTER: (Nods head.)
8   MS. HURST: Okay. I don't know if I can
9 get somewhere and back in half an hour, but I'll do
10 my best.
11   MR. RAGLAND: If you need longer, that's
12 fine as well.
13   MS. HURST: Well, let's call it half an
14 hour and if I'm, you know -- then we'll see where we
15 are.
16   MR. RAGLAND: Okay.
17   MS. HURST: Thank you.
18   THE VIDEOGRAPHER: Going off the record.
19 The time is 12:25.
20   (Lunch recess taken.)
21   THE VIDEOGRAPHER: This marks the
22 beginning of DVD Number 2 in the deposition of Felix
23 Lin. Going back on the record. The time is 1:19.
24   MS. HURST: All right. The parties -- we
25 have resolved our dispute regarding this deposition

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25 (Pages 94 - 97)

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1 and our agreement is as follows: Mr. Ragland,
2 correct me if I state it wrong. We will go four
3 hours on the record today, give or take, we will
4 go -- we will conclude the deposition on Friday
5 morning from 8:00 to 11:00 a.m. at your offices in
6 San Francisco. Google will not assert the discovery
7 cutoff in the meantime as a reason for not
8 completing the deposition on Friday morning, and I
9 think that's probably all we need to say.
10   But if you want to add anything --
11   MR. RAGLAND: Yeah, I think that's right.
12 And I understand that both -- both sides have a hard
13 stop at 11:00 a.m. on Friday morning.
14   MS. HURST: Agreed.
15   MR. RAGLAND: At our offices, 633 Battery
16 Street.
17   MS. HURST: All right. Thank you for your
18 courtesy and finding a mutually convenient date to
19 resolve the issue. Appreciate it.
20 BY MS. HURST:
21   Q   Thank you, Mr. Lin, for agreeing to come
22 to San Francisco.
23   A   No problem. Happy to do it. That's fine.
24   Q   Mr. Lin, did you have any role in
25 connection with a device called the Pixel C?

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1   A   They both ran Chrome OS.
2   Q   Does the Pixel C run Chrome OS?
3   A   It does not today.

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1   MR. RAGLAND: Objection; beyond the scope.
2   THE WITNESS: I did not.
3 BY MS. HURST:
4   Q   Are you familiar with that device?
5   A   Yes.
6   Q   What is it?
7   MR. RAGLAND: Same objection. Beyond the
8 scope of noticed topics.
9   THE WITNESS: It's a tablet with a
10 keyboard.
11 BY MS. HURST:
12   Q   Prior to the Pixel C, were there other
13 Google-related products with the -- under the brand
14 Pixel?
15   MR. RAGLAND: Objection; beyond the scope.
16   THE WITNESS: Yes.
17 BY MS. HURST:
18   Q   And what were those?
19   A   There was the original Pixel, which was a
20 laptop computer, and then there was a Pixel which
21 followed that laptop.
22   Q   Also a laptop?
23   A   Also a laptop.
24   Q   And did those prior Google Pixel laptops,
25 what operating system did they have?

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21 BY MS. HURST:
22   Q   When was the Pixel C released?
23   A   Just recently. I think it just went on
24 sale.
25   Q   Within the last week or so?

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26 (Pages 98 - 101)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

1   A   I think so, yeah.

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15   Q   All right.
16   And -- and so just to be clear about the
17 distinction, the Pixel C, like the Nexus devices, is
18 hardware that is sold directly by Google?
19   A   That's correct.
20   Q   And who runs that hardware group that you
21 mentioned within Google?
22   A   The person that is the lead products
23 person on that is Andrew Bowers.
24   Q   And to whom does Mr. Bowers report?
25   A   I believe -- I'm not certain. I believe

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1 he reports to Hiroshi.
2   Q   Mr. Lockheimer?
3   A   Yeah.
4   Q   And do you also report to Mr. Lockheimer?
5   A   I do.
6   Q   So you and Mr. Bowers are approximately
7 peers within the organization?
8   A   Yes. Uh-huh.

23 BY MS. HURST:
24   Q   So the Pixel C ultimately shipped with
25 Android as an operating system, true?

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1   A   That's correct.
2   MR. RAGLAND: Same objections.

17   Q   Did you find the Ars Technica article that
18 I marked as Exhibit 5089 to be generally accurate?
19   MR. RAGLAND: Objection to form and beyond
20 the scope.
21   THE WITNESS: I actually thought it was
22 interesting from the standpoint of there were a lot
23 of things that he wrote about which I didn't know.
24 But I don't actually know how much of it is -- is
25 accurate.

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27 (Pages 102 - 105)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

1 BY MS. HURST:
2   Q   Did Exhibit 5089, this article, did it
3 prompt any discussion on your part with anybody else
4 at Google about the information contained therein?
5   MR. RAGLAND: Objection to form and beyond
6 the scope.
7   THE WITNESS: Other -- other people on the
8 team saw it. I think, in general, people thought it
9 was an interesting analysis but, you know, there
10 wasn't really any discussion beyond that.
11   MS. HURST: Exhibit 5090 is a Wall Street
12 Journal article dated October 29, 2015, entitled
13 "Alphabet's Google to Fold Chrome Operating System
14 into Android."
15   (Deposition Exhibit 5090 marked
16   for identification.)
17 BY MS. HURST:
18   Q   Mr. Lin, did you read this article on or
19 about the time it was published?
20   A   I did.
21   Q   And what was your reaction to it at the
22 time?
23   MR. RAGLAND: Objection; outside the
24 scope.
25   THE WITNESS: My impression was that

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1 somebody who had done some analysis was completely
2 misreading what was actually going on.

10 BY MS. HURST:
11   Q   What was the goal of creating ARC Welder?
12   MR. RAGLAND: Objection to scope.
13   THE WITNESS: Are you asking about the
14 technical goal or what -- what do you mean?
15 BY MS. HURST:
16   Q   Well, let's start with the technical goal.
17   MR. RAGLAND: Same objection, also to
18 form.
19   THE WITNESS: The technical goal was to
20 just make it easier for application developers to
21 put the finishing touches on Android applications so
22 that they could run on Chrome OS.
23 BY MS. HURST:
24   Q   What were the bus- --
25   What was the business goal or goals of

Page 107   Page 109

28 (Pages 106 - 109)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

1 creating ARC Welder?
2   MR. RAGLAND: Objection; beyond the scope
3 and form.
4   THE WITNESS: For Android developers, it
5 was to expand the potential market opportunity for
6 them.
7 BY MS. HURST:
8   Q   What about for Google?
9   MR. RAGLAND: Same objections.
10   THE WITNESS: I think for Google it was to
11 enable our customers on all platforms to have access
12 to as many applications as possible.
13 BY MS. HURST:
14   Q   And how did you expect that wide- -- more
15 widespread availability to benefit Google?
16   MR. RAGLAND: Objection to form and beyond
17 the scope of noticed topics.
18   THE WITNESS: Our goal is to build a great
19 experience for customers, so the more we can enable
20 them to do, the better.
21 BY MS. HURST:
22   Q   And how does that benefit Google?
23   MR. RAGLAND: Same objections.
24   THE WITNESS: Happier customers spend more
25 time online.

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1 BY MS. HURST:
2   Q   How does that benefit Google?
3   MR. RAGLAND: Same objections.
4   THE WITNESS: Well, I mean, you know,
5 our -- our goal is to enable people to get access to
6 more information more quickly, and if we can get
7 more people online, we bring more content providers
8 and application creators online, and we allow people
9 to do more.
10 BY MS. HURST:
11   Q   And how does that benefit Google?
12   MR. RAGLAND: Same objections.
13   THE WITNESS: Google makes money
14 indirectly, I suppose.
15 BY MS. HURST:
16   Q   Google is a for-profit company, right?
17   A   Absolutely.
18   Q   You're not just doing this out of the
19 goodness of your hearts, true?
20   MR. RAGLAND: Objection; form and beyond
21 the scope.
22   THE WITNESS: There are a number of
23 projects that Google does that, you know, are purely
24 for, you know, the benefit of -- of mankind. So --
25

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1 BY MS. HURST:
2   Q   And what enables Google to --
3   MR. RAGLAND: Sorry. Were you finished
4 with your answer? I'm just making sure there's not
5 interruption.
6   THE WITNESS: Yes. Okay. Thanks.
7 BY MS. HURST:
8   Q   And what enables Google to invest in those
9 products?
10   MR. RAGLAND: Objection; form and beyond
11 the scope.
12   THE WITNESS: We have engineers who love
13 working on those projects, and we have, you know --
14 Google is willing to fund those efforts.
15 BY MS. HURST:
16   Q   And Google has to make money in order to
17 fund those efforts, right? You're paying those
18 engineers, true?
19   MR. RAGLAND: Objection; form and beyond
20 the scope.
21   THE WITNESS: We are paying those
22 engineers, yes.
23 BY MS. HURST:
24   Q   And all of this activity comes back to
25 Google's ability to earn revenue largely from

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1 advertising, true?
2   MR. RAGLAND: Objection; form, beyond the
3 scope.
4   THE WITNESS: Google makes money from
5 advertising, that's true.
6 BY MS. HURST:
7   Q   Are you familiar with the term "traffic
8 acquisition cost"?
9   A   Yes, I am.
10   Q   Have you heard that term used at Google?
11   MR. RAGLAND: Objection; beyond the scope.
12   THE WITNESS: I have.
13 BY MS. HURST:
14   Q   And what does it mean?
15   MR. RAGLAND: Same objection.
16   THE WITNESS: Traffic acquisition cost is
17 the cost of, you know, attracting people to
18 someone's website.
19 BY MS. HURST:
20   Q   And what business is traffic acquisition
21 cost an expense component of?
22   MR. RAGLAND: Objection to form and beyond
23 the scope.
24   THE WITNESS: I -- I mean, it's part of
25 the cost of doing business. If you're asking what

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29 (Pages 110 - 113)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

1 is the specific account or how do we account for it,
2 that's -- I don't know. I don't know the details.
3 BY MS. HURST:
4   Q   What is ARC?
5   MR. RAGLAND: Objection; beyond the scope,
6 form.
7   THE WITNESS: I believe you're asking
8 about the application runtime for Chrome?
9 BY MS. HURST:
10   Q   Is ARC an acronym that you use to refer to
11 app runtime for Chrome?
12   A   If -- if we're talking about the same
13 thing, yes.
14   Q   In the phrase "ARC Welder," that is what
15 "ARC" stands for, app runtime for Chrome?
16   A   Right.

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30 (Pages 114 - 117)

1 BY MS. HURST:

2   Q   Are you aware of any difference in traffic

3 acquisition costs for Google from Web pages versus

4 mobile applications?

5   MR. RAGLAND: Objection to form and beyond

6 the scope of noticed topics.

7   THE WITNESS: I don't -- I don't have any

8 of the details.

9 BY MS. HURST:

10   Q   Are you generally aware that there is or

11 is not some difference in traffic acquisition costs

12 for Google between Web pages versus applications?

13   MR. RAGLAND: Objection to form and beyond

14 the scope.

15   THE WITNESS: There's difference in

16 traffic acquisition between mobile applications

17 and -- just between mobile applications and between

18 Web pages. I mean, there's differences everwhere.

19   I wouldn't say that it's categorically one

20 is -- mobile applications on the whole are different

21 than Web pages on the whole. They're all different.

22 Every -- every application has unique

23 characteristics, every website has unique

24 characteristics.

25   I'm sure there are certain websites that

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1 have higher traffic acquisition costs than less

2 popular mobile apps. So it's all over the map.

3 BY MS. HURST:

4   Q   All right.

5   Mr. Lin, looking at Topic 5, what can you

6 tell me about Google's negotiations, agreements or

7 contracts for the distribution of Google services or

8 Google applications on non-Android operating

9 systems, starting with how many non-Android

10 operating systems does Google provide either its

11 services or applications?

12   MR. RAGLAND: Objection to form and

13 objection to the extent that the question goes

14 beyond the scope of the limitation on Topic 5.

15   THE WITNESS: So we provide Google's

16 mobile applications on iOS and Android.

17 BY MS. HURST:

18   Q   And when you say "Google mobile

19 applications" are you referring now to some specific

20 set of applications?

21   A   Yes. So the mobile versions of Mail,

22 YouTube, Chrome, Google Docs, Google Drive, YouTube.

23   Q   And have your Google mobile applications

24 ever been available for any other non-Android

25 operating system, other than iOS?

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1   A   I don't know for certain. I believe some

2 of them may have been available for Windows phone or

3 Windows Mobile, but, to be honest, I can't say for

4 certain.

5   Q   And how about BlackBerry; were any ever

6 available for Blackberry?

7   A   I don't know.

8   Q   And when you say iOS and Android, are you

9 including all of the various versions of Android

10 that may be out there, including ones, for example,

11 forks by Amazon or Chinese forks of Android?

12   MR. RAGLAND: Objection to form.

13   THE WITNESS: No. So the -- we only make

14 GMS available for Android-compatible phones.

15 BY MS. HURST:

16   Q   And when you say "Android compatible," you

17 mean phones that have passed -- that conform to the

18 CDD, the Compatibility Definition Document, and have

19 passed the Compatibility Testing Suite?

20   A   That's correct.

21   Q   Do you also make Google Search services

22 available for non-Android operating systems?

23   MR. RAGLAND: Objection to form.

24   THE WITNESS: Google Search is available

25 for iOS as well.

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1 BY MS. HURST:

2   Q   And in what form is Google Search

3 available for iOS?

4   A   I believe there's a search app.

5   Q   Is it available in any other form?

6   MR. RAGLAND: Objection to form and beyond

7 the scope.

8   THE WITNESS: Well, it's available --

9 people can do searches through the Chrome browser.

10 BY MS. HURST:

11   Q   Any other form?

12   MR. RAGLAND: Same objections.

13   THE WITNESS: Those are the -- those are

14 the two that come to mind.

15 BY MS. HURST:

16   Q   What about, for example, the Safari

17 browser running on iOS?

18   A   Safari is not an application that we

19 produce or develop.

20   Q   But are Google Search services available

21 through Safari?

22   MR. RAGLAND: Same objections.

23   THE WITNESS: As a browser, anybody can go

24 to Google.com.

25

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31 (Pages 118 - 121)

1 BY MS. HURST:

2   Q   Including users of Safari?

3   A   Including users of Safari, right.

4   Q   And earlier in the deposition today, you

5 identified, you know, the URL box in a browser as a

6 place where there can be searching.

7   Do you recall that testimony?

8   A   Yes.

9   Q   And is that true in Safari as well?

10   MR. RAGLAND: Objection to form and beyond

11 the scope.

12   THE WITNESS: People can go to Google.com

13 from Safari. I don't know whether they can do a

14 search directly from Safari, and I don't know how

15 Safari's configured for search, whether it

16 automatically goes to Google or it goes to other

17 search engines.

1 not paying -- they're not paying us; they're paying

2 Apple.

3 BY MS. HURST:

4   Q   Is Google Play Services available for any

5 operating system, other than Android?

6   A   It's just Android.

7   Q   Could Google Play Services work with any

8 operating system, other than Android?

9   MR. RAGLAND: Objection to scope.

10   THE WITNESS: I suppose -- I mean, today

11 that's not possible.

3 BY MS. HURST:

4   Q   Is Google Play Services available for iOS?

5   A   Google Play Services is not available for

6 iOS. As I mentioned earlier, it's part of the

7 bundle for Android, but for iOS, we only ship the

8 actual applications, not the -- not Play services.

9   Q   And why not?

10   MR. RAGLAND: Objection to the extent it's

11 beyond the scope of topics for which this witness is

12 presented.

13   THE WITNESS: They're -- they're not

14 relevant on iOS.

15 BY MS. HURST:

16   Q   Well, authentication's relevant on iOS,

17 right?

18   MR. RAGLAND: Same objection.

19   THE WITNESS: On iOS, people use Apple's

20 authentication scheme.

21 BY MS. HURST:

22   Q   In-payment processing is relevant on iOS?

23   MR. RAGLAND: Same objection.

24   THE WITNESS: My under- -- on iOS, people

25 use the iTunes store and the app store, so they're

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14 Chromebook, right?
15   MR. RAGLAND: Objection to scope.
16   THE WITNESS: So they can download
17 extensions to the browser and they can install apps,
18 but the system image and all of the system software
19 is exactly the software that we shipped.
20 BY MS. HURST:
21   Q   And you include in the system software the
22 Chrome browser, true?
23   MR. RAGLAND: Objection -- objection to
24 scope.
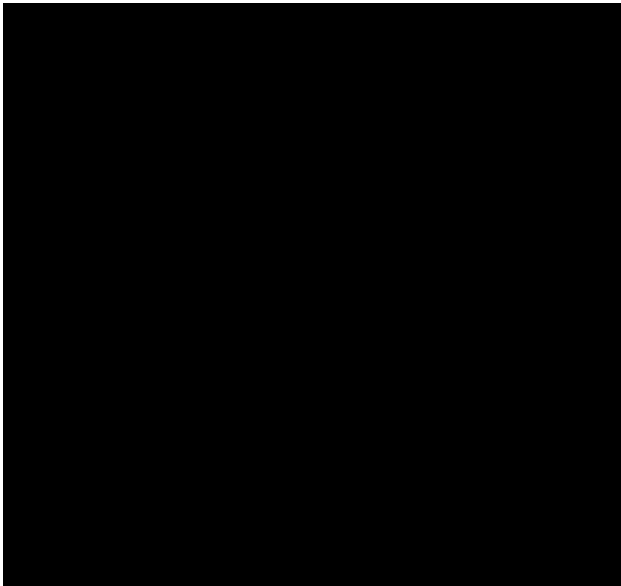25   THE WITNESS: We include in the system

Page 136
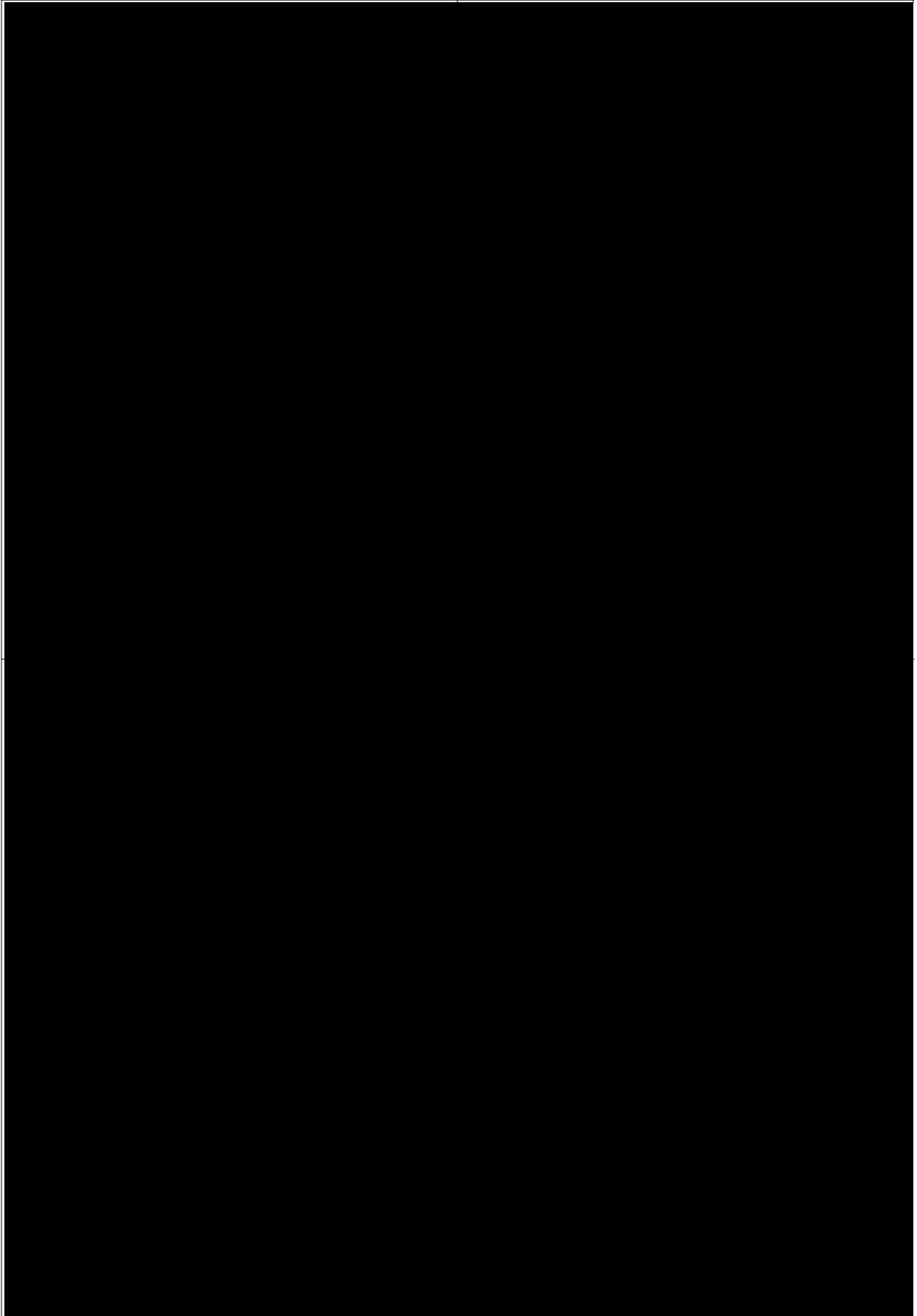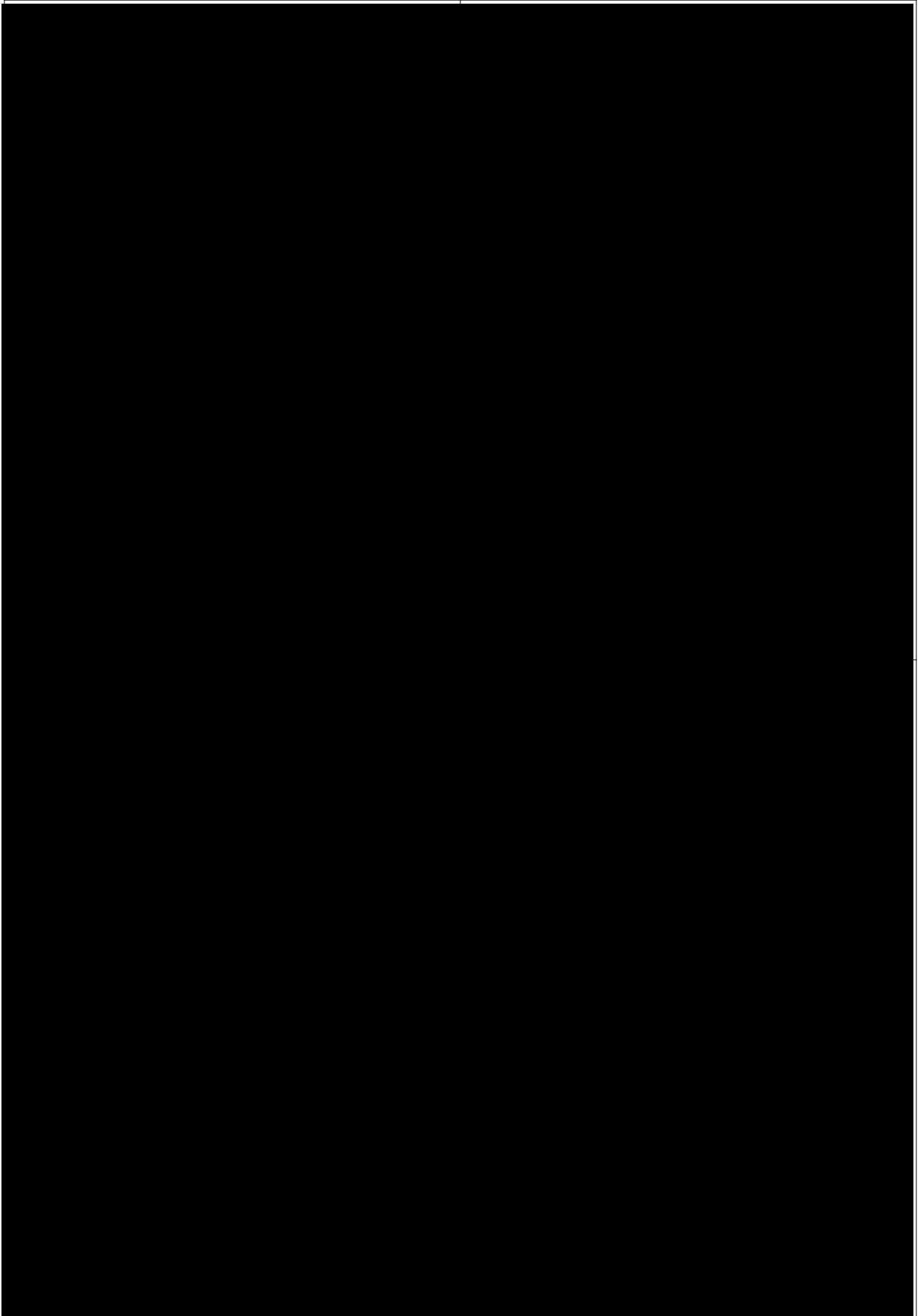
1 software the Chrome browser.
2 BY MS. HURST:
3   Q   And the Chrome browser that you include in
4 the system software for Chrome OS has a default
5 search box for Google Search, true?
6   MR. RAGLAND: Objection to form and beyond
7 the scope.
8   THE WITNESS: The chrome browser in
9 Chrome OS is exactly the same as the Chrome browser
10 on every platform. Has an Omnibox which allows
11 people to type in URLs as well as search terms, and
12 out of the box, by default, it is set up to go to
13 Google.com and perform a search if the end user has
14 not signed into Chrome under -- on a different
15 machine and has not established a different default
16 search provider.
17   So I'll say it a little bit differently to
18 make it a little more clear.
19   If you are set up and you use Chrome on
20 any platform -- Windows, Mac -- and your default
21 search provider is Yahoo, then when you start up
22 your Chrome browser and you sign in on a Chromebook,
23 Yahoo will be the default search provider because we
24 synchronize across all the platforms.
25

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1 BY MS. HURST:
2   Q   But if you have not changed the default,
3 then when you get the machine out of the box, turn
4 it on and fire up the browser, you're going to go to
5 Google for search services, true?
6   A   That's true because we have no other
7 option at that point.
8   MR. RAGLAND: Whenever is convenient for a
9 break.
10 BY MS. HURST:
11   Q   All right.

22   Q   Are you familiar that at one point in time
23 there was a Palm WebOS operating system-based
24 browser?
25   A   Yes.

35 (Pages 134 - 137)
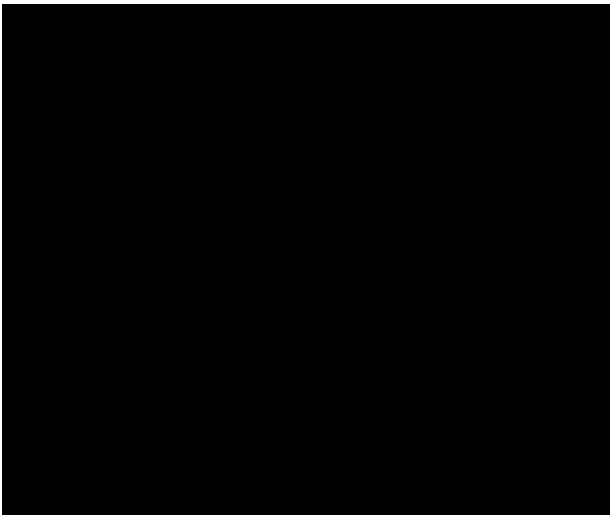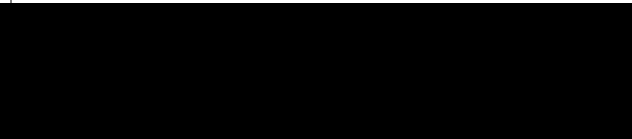
HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

1   MR. RAGLAND: Objection; form and beyond
2 the scope.
3   THE WITNESS: Sorry.
4 BY MS. HURST:
5   Q   And that's a non-Android-based browser,
6 right?
7   MR. RAGLAND: Same objections.
8   THE WITNESS: Yes.

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1   MS. HURST: Okay. If you wanted to take a
2 break.
3   MR. RAGLAND: Sure.
4   THE VIDEOGRAPHER: Going off the record.
5 The time is 2:23.
6   (Recess taken.)
7   THE VIDEOGRAPHER: This marks the
8 beginning of DVD Number 3 in the deposition of Felix
9 Lin. Going back on the record. The time is 2:46.
10 BY MS. HURST:
11   Q   Mr. Lin, have you ever heard the acronym
12 AFS at Google to refer to AdSense for Search?
13   MR. RAGLAND: Objection; form and scope.
14   THE WITNESS: I have heard of that term,
15 AdSense for Search.
16 BY MS. HURST:
17   Q   And are you familiar generally with
18 AdSense at Google?
19   A   Yes.
20   Q   And what is it?
21   MR. RAGLAND: Objection; outside the
22 scope.
23   THE WITNESS: AdSense is like Adwords, but
24 it's essentially allowing us to place ads on other
25 content providers' websites.

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1 BY MS. HURST:
2   Q   And you mentioned Adwords. What is that?
3   MR. RAGLAND: Same objection.
4   THE WITNESS: Adwords is a program where
5 when people come to Google.com and they type in
6 search terms, we can serve up search results along
7 with ads that are relevant to those search terms.
8 BY MS. HURST:
9   Q   So that's the keyword advertising program
10 that you referred to earlier?
11   A   Exactly. That's right. That's right.
12   Q   And is AdSense the display advertising
13 program that you referred to earlier?
14   A   No. It's the four-line ads that you'll
15 typically see on Google.com.
16   Q   I'm struggling, and I apologize.
17   How are those four-line ads different from
18 what gets served up in response to keywords as part
19 of the keyword advertising program?
20   MR. RAGLAND: Objection; outside the
21 scope.
22   THE WITNESS: So it's actually the same
23 thing. When you look at -- when you go to
24 Google.com, you'll see a search box at the top.
25 People type in their search terms, and if you search

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1 for "skateboard," typically on the left side, the
2 two-thirds of the screen, you'll see a bunch of what
3 we call organic search results. Those are not paid
4 unless they're explicitly marked "Advertising" or
5 "Sponsored By."
6   On the right-hand side in about a third of
7 the page, you'll see, you know, maybe seven to ten
8 four-line ads, they're short ads, typically with a
9 header and a URL and then two other lines of
10 descriptive text. Those ads are paid for by
11 advertisers who are essentially bidding on the
12 keywords.
13   So if I had skateboards to sell, I might
14 tell Google that I'm willing to pay, let's say, ten
15 cents for every time somebody clicks through on my
16 ad, and then it comes to my website.
17   Google will decide, amongst all the people
18 who are interested in bidding, which ads to serve up
19 in the hopes that, of course, somebody will click on
20 one of those ads, and Google will be paid ten cents
21 at that point, or whatever the appropriate bid is.
22   So that's how the AdWords program works.
23 BY MS. HURST:
24   Q   All right.
25   And what part, if any, of what you just

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36 (Pages 138 - 141)

1 described is the AdSense piece?
2   A   So what I described there is the user
3 experience when you go to Google.com.
4   Anywhere off of Google, Google.com, if you
5 go to, let's say, SkiMagazine.com or even Yahoo.com,
6 sometimes you'll see on a Web page similarly on the
7 right-hand rail, space for -- typically right at the
8 top, "Ads Sponsored by Google."
9   And what happens is that as Google is
10 crawling the Web and looking at new content every
11 day, Google is looking at all the content presented
12 on the page and matching up certain keywords that it
13 found on the page against advertisers who are
14 interested in being seen when people enter those
15 keywords.
16   The reason it's called AdSense is people
17 aren't actually typing keywords into those pages.
18 It's just from the context of words on the page that
19 these might be relevant ads. So the AdSense program
20 uses space that content providers pre-allocate to
21 Google to place ads, and then when people click
22 through those ads, Google shares the revenue with
23 the content owner.
24   Q   All right.
25   And so AdSense is kind of, you know --

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1 the way it works. I believe that we dynamically in
2 the process of crawling the page and indexing the
3 content so that we can provide faster search results
4 for people who are just searching for content. In
5 the course of doing that, we automatically determine
6 what the keywords are that are relevant on the page.

22   Q   So using the description you gave a moment
23 ago of AdSense where you go to a website -- I think
24 Ski World Magazine was the example you gave -- how
25 would it be possible -- well, strike that.

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1 there are algorithms that assess the content of
2 somebody else's website and serve up, then, the
3 four-line links --
4   A   That's right.
5   Q   -- AdWord links, that you might also find
6 on Google.com in response to a keyword search?
7   A   That's right.
8   Q   All right.
9   So in both cases, the content of the ad
10 remains the same, but there are different ways for
11 the customer to get to the ad --
12   MR. RAGLAND: Objection; form.
13 BY MS. HURST:
14   Q   -- or be displayed in the ad?
15   A   It can be the same ads. They're just
16 viewed on different search -- different properties
17 online.
18   Q   Got it. Thank you.
19   And is there a way that you enable people
20 to actually tune their own websites related to that
21 AdSense advertising in order to make it more
22 effective? Do you allow them to create keywords on
23 their own sites for that purpose?
24   MR. RAGLAND: Objection to form and scope.
25   THE WITNESS: I don't believe that that's

Page 143

1   Does that work on mobile devices too?
2   MR. RAGLAND: Objection to form and
3 outside the scope of designated topics.
4   THE WITNESS: Technically it could work,
5 but I believe -- but I'm not sure that we actually
6 do that because the screen real estate on mobile
7 devices is so limited. I don't know that we can
8 actually do that.
9 BY MS. HURST:
10   Q   Do you have any understanding of how
11 AdSense operates with respect to mobile devices?
12   MR. RAGLAND: Same objections.
13   THE WITNESS: I don't know.
14 BY MS. HURST:
15   Q   All right.
16   Are you familiar with any kind of a
17 program called AdSense for Content?
18   MR. RAGLAND: Objection; outside the
19 scope.
20   THE WITNESS: I'm not familiar with
21 AdSense for Content.

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37 (Pages 142 - 145)

38 (Pages 146 - 149)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY
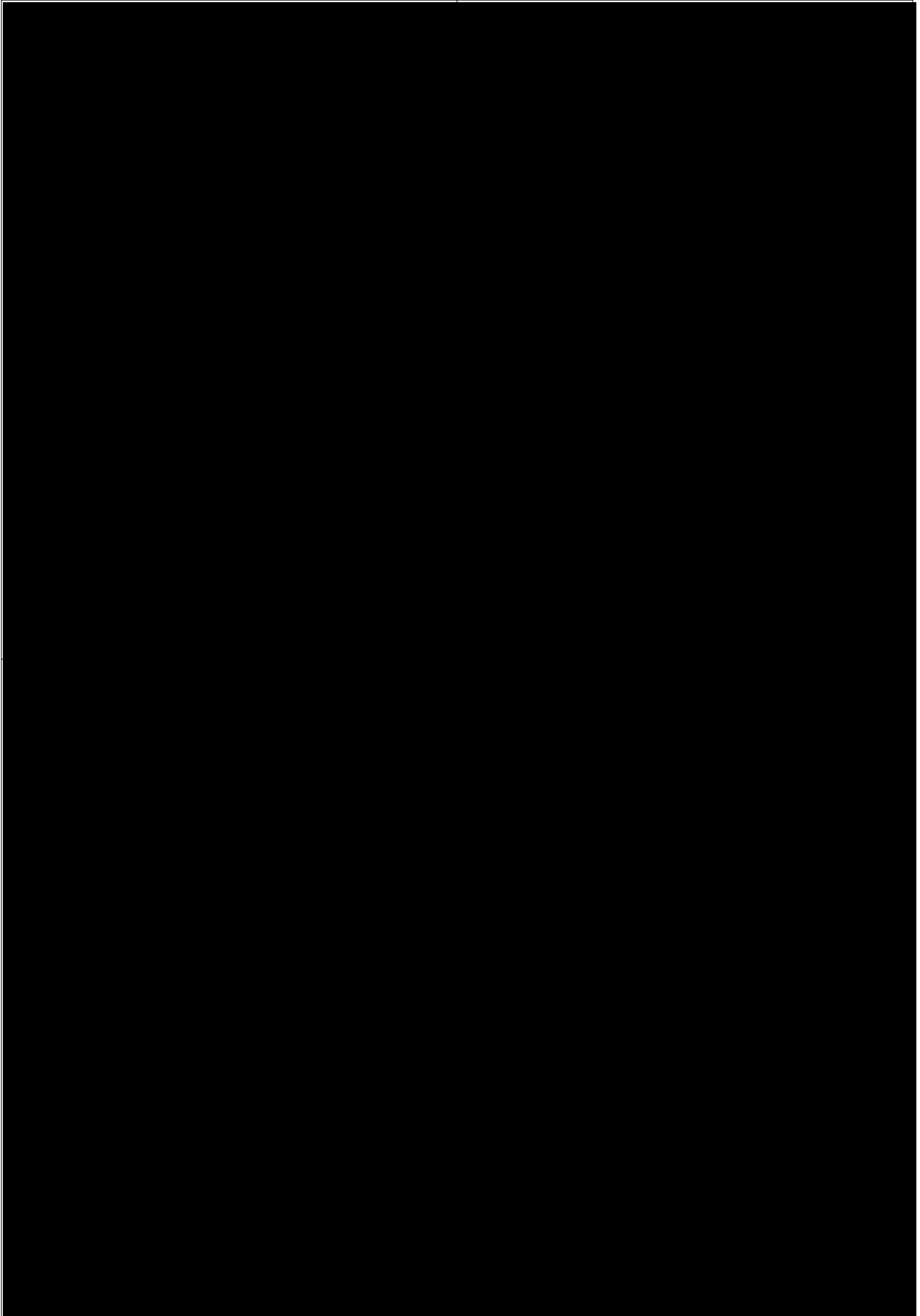
 6   Q   What do you understand "search entry
 7 point" to mean?
 8   MR. RAGLAND: Objection to form, beyond
 9 the scope.
10   THE WITNESS: It's just another word for
11 "search box."
12 BY MS. HURST:
13   Q   What does "directed traffic" mean?
14   MR. RAGLAND: Same objections.
15   THE WITNESS: I'm not completely sure.
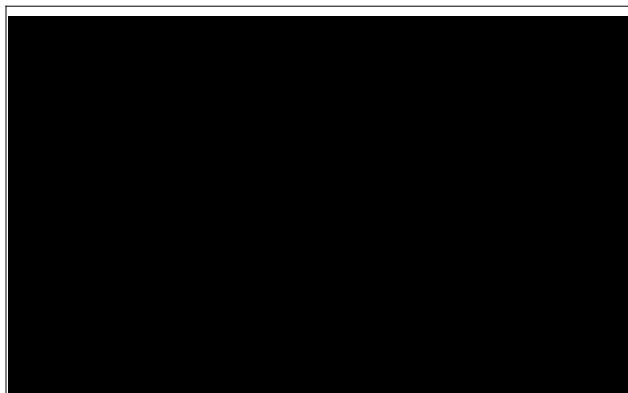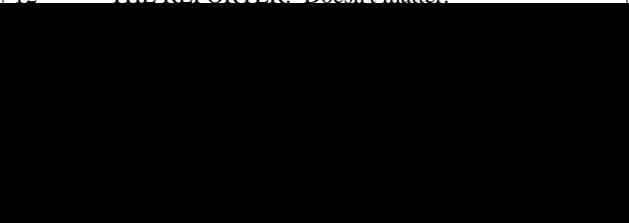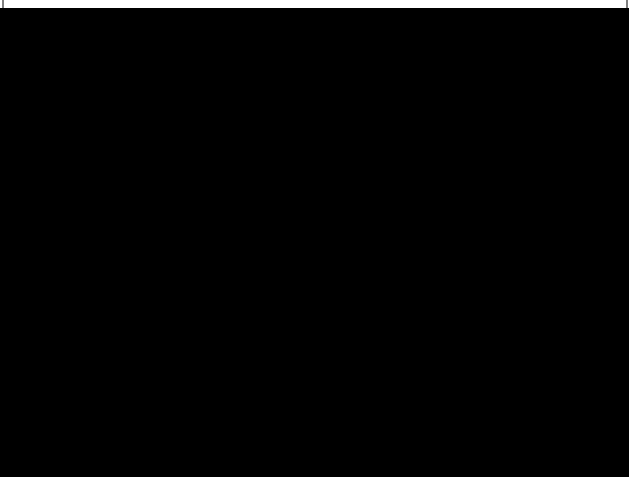16 How is it -- how is it used?
17 BY MS. HURST:
18   Q   Well, let's say in an agreement between
19 Google and a carrier, are you familiar with the
20 concept of directed traffic?
21   MR. RAGLAND: Same objections.
22   THE WITNESS: I'm not completely sure.

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39 (Pages 150 - 153)

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12   Q   And do sometimes Android phones --
13   Are you familiar with the phrase "locked"
14 or "unlocked" as refers to mobile phones?
15   A   Uh-huh.
16   Q   And what do you understand those terms to
17 mean?
18   A   Locked phones are -- will only work on the
19 carrier from which the customer purchased the phone.
20   Q   And unlocked, you could use it with a
21 variety of characters -- pardon me, carriers?
22   A   Characters is right.
23   Q   Characters, right, yes. Freudian slip.
24   So do you have any general understanding
25 that with respect to an unlocked phone, you would

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 1 want to negotiate the revenue sharing agreement with
 2 the manufacturer of the phone, and with a locked
 3 phone, you would want to negotiate the agreement
 4 with the carrier?
 5   MR. RAGLAND: Objection; form and beyond
 6 the scope.
 7   THE WITNESS: That would make sense, yes.
 8 BY MS. HURST:
 9   Q   And with a locked phone, then, that means
10 that manufacturer of the equipment is agreeing only
11 to offer that device in connection with a particular
12 carrier, true?
13   MR. RAGLAND: Objection to the form and
14 beyond the scope of noticed topics.
15   THE WITNESS: If it's a locked phone,
16 essentially the hardware manufacturer only makes
17 that phone available from that carrier, yes.
18   MS. HURST: Where are we on time?
19   THE VIDEOGRAPHER: We have -- you have 40
20 minutes left.
21   MS. HURST: Okay. I want to pull a series
22 of documents. So let's take a short break, and I'll
23 do that.
24   MR. RAGLAND: Sure.
25   THE VIDEOGRAPHER: Going off the record.

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 1 The time is 3:15.
 2   (Recess taken.)
 3   THE VIDEOGRAPHER: We're back on the
 4 record. The time is 3:28.
 5   MS. HURST: Exhibit 5093 is GOOG-00130126
 6 through -40.
 7   (Deposition Exhibit 5093 marked
 8   for identification.)
 9   MS. HURST: You know what, that one is a
10 double-sided copy. Do you want me to give you
11 single sided?
12   THE REPORTER: Doesn't matter.

19   Q   Have you ever heard the Google Play
20 Services referred to as Google Mobile Core or G Core
21 or GMS Core?
22   A   I've heard those different terms on
23 occasion, but I don't know that they actually all
24 refer to Play Services.
25   Q   And has Google Play Services ever been

Page 156

 1 referred to as the Google Services Framework?
 2   MR. RAGLAND: Objection to form.
 3   THE WITNESS: It's possible. I don't -- I
 4 mean, I always call it Play Services.
 5 BY MS. HURST:
 6   Q   Okay.
 7   Did Google Play Services have a name, a
 8 different name, before it was called Google Play
 9 Services?
10   A   It may have before my time, so that may be
11 where some of these names come from.

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40 (Pages 154 - 157)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

7   Google Play Client, what is that?

8   A   I believe this is just the stuff that's

9 related to authenticating your account so that when

10 you sign into the Google Play Store, we match up the

11 ID with the person who signed in using the phone and

12 keeping track of the things that you've purchased.

22   Q   What is the Google Services Framework?

23   A   It's just all the ancillary services, you

24 know, associated with the location services, network

25 services. I don't have the full -- I don't have the

1 details.

2   Q   Okay.

3   Location Services, that's, you know, the

4 ability for the phone to determine its approximate

5 location in the world; is that right?

6   A   Right.

7   Q   And was that ever part of the Android

8 platform, that capability?

9   A   There may be portions of it that are and

10 some of it may not be. For example, just -- just

11 the -- I'm sure that Android open source framework

12 includes provisions for just taking a GPS signal but

13 combining the GPS signal with other information

14 about, like, Wi-Fi networks and things like that,

15 might provide different location capabilities.

16   Q   Android, the platform, certainly provides

17 the capability for a device to connect to a Wi-Fi

18 network, true?

19   MR. RAGLAND: Objection; form and scope.

20   THE WITNESS: So this might be, you know,

21 information that Google knows about, you know,

22 actual Wi-Fi networks. So not just being able to

23 connect to a Wi-Fi network, but the fact that if

24 you're in range of two or three specific Wi-Fi

25 networks, it knows where you are differently, can

1 triangulate.

2 BY MS. HURST:

3   Q   And you mentioned that network services

4 were part of the Google Services Framework. What

5 did you mean by "network services" in that context?

6   A   I don't know specifically. I'm just

7 saying, you know, things that are background

8 services.

9   Q   Can you describe the functionality in some

10 way that --

11   A   I would have to get you more detailed

12 information. From my standpoint, these are all just

13 a bundle of applications that are distributed as a

14 bundle for compatible devices. I don't know exactly

15 what functions or services are partitioned into each

16 one of these by name. I've never had to break it

17 down that way.

18   Q   All right.

19   What is Google Backup and Restore?

20   A   So this is a set of services that is

21 backing up files, photos, device settings, you know,

22 the placement of icons on various screens that you

23 might have once you've installed applications if

24 you've moved them around.

25   I don't know the exact details of

1 specifically all the things that get backed up, but

2 our goal has been to make it easier for people to

3 back up the entire phone so that if they lose a

4 phone and they buy a replacement, they can easily

5 get back to where they -- where they were before

6 without having to do a bunch of work.

7   Q   Is there any backup and restore capability

8 in the Android platform itself?

9   MR. RAGLAND: Objection; beyond the scope.

10   THE WITNESS: I don't know for certain. I

11 don't believe so because backup and restore has

12 different behavior on different phones, so I believe

13 it depends on what the manufacturers are

14 implementing. There may be some limited form of

15 backup.

41 (Pages 158 - 161)

24 BY MS. HURST:
25　　Q　What information do you provide to a

1 outside.
2 BY MS. HURST:
3　　Q　You don't use any that are outside of the
4 CDD?
5　　A　Outside of the CDD, right. Sorry.
6　　Q　So Google Play Services APIs are all
7 within the CDD, but you're not certain whether the
8 CDD is limited to the Google Play Services API?
9　　　MR. RAGLAND: Same objections.
10　　　THE WITNESS: That's correct.
11 BY MS. HURST:
12　　Q　Is it possible for the handset
13 manufacturers to add functionality to their devices
14 that is not specified by the CDD and still pass the
15 CTS?
16　　　MR. RAGLAND: Objection; form and scope.
17　　　THE WITNESS: It is definitely possible,
18 yes.
19 BY MS. HURST:
20　　Q　Can you think of any examples?
21　　　MR. RAGLAND: Same objections.
22　　　THE WITNESS: So we have device
23 manufacturers that have implemented multi-window
24 support, and that's not currently in the CDD for
25 Android.

1 manufacturer that enables it to integrate Google
2 Play Services into its device?
3　　　MR. RAGLAND: Same objection.
4　　　THE WITNESS: If they have an Android
5 compatible device and it passes the CTS, the full
6 suite of tests, all of our services will work.
7 BY MS. HURST:
8　　Q　Is there an API associated with Google
9 Play Services?
10　　　MR. RAGLAND: Same objection.
11　　　THE WITNESS: We only make use of the APIs
12 that are part of the CDD.
13 BY MS. HURST:
14　　Q　So it's the same thing?
15　　　MR. RAGLAND: Objection; form, beyond the
16 scope.
17　　　THE WITNESS: I'm not sure -- are you
18 saying the --
19 BY MS. HURST:
20　　Q　Is the Google Play Services API entirely
21 contained within the Compatibility Definition
22 Document?
23　　　MR. RAGLAND: Objection to form and scope.
24　　　THE WITNESS: It is. I don't know that we
25 use every single API, but we don't use any that are

1 BY MS. HURST:
2　　Q　And will all the applications in the
3 Google Play Store still run on those multi-window
4 devices?
5　　　MR. RAGLAND: Objection; form and scope.
6　　　THE WITNESS: Yes.
7 BY MS. HURST:
8　　Q　And will applications written for those
9 multi-window devices still run on all other Android
10 devices?
11　　　MR. RAGLAND: Same objections.
12　　　THE WITNESS: No.

42 (Pages 162 - 165)

7   BY MS. HURST:
8   Q   Well, I think what you're saying is that
9   if somebody wrote an application for that Samsung
10   device using the fingerprint sensor, it would still
11   run on other devices?
12   MR. RAGLAND: Objection; form.
13   THE WITNESS: If somebody -- because that
14   device makes use of hardware and offers features
15   above and beyond the compatibility definition,
16   applications that don't make use of those will, of
17   course, still run. However, applications that
18   require -- a Samsung application that requires the
19   Samsung fingerprint sensor would not fully run on
20   other devices.
21   In those cases, customers would have to
22   recognize that, you know, here's an application that
23   could make use of the fingerprint sensor to, for
24   example, lock and unlock, but if their device
25   doesn't have a fingerprint sensor, then there's

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1   have 17 more minutes.
2   BY MS. HURST:
3   Q   What is the Google WebView component?
4   A   The WebView component -- the best way to
5   describe it is it's the browser without all of the
6   browser -- browser Chrome or the branding.
7   So, for example, if inside of a mobile app
8   like Facebook, if Facebook wanted to display a Web
9   page inside of their application, they could use the
10   WebView component.
11   Q   So like a headless browser?
12   A   Exactly. Yeah.
13   Q   And have there ever been headless browser
14   capabilities within the Android platform itself?
15   MR. RAGLAND: Objection; beyond the scope.
16   THE WITNESS: I don't know that it was
17   packaged in that form. I believe at one point that
18   there was a Android browser that was part of the
19   Android open source, and people could use that and
20   do what they wanted with it. I'm not sure that
21   people would call it the same thing as the WebView,
22   but it was something similar.
23   BY MS. HURST:
24   Q   What is the Market Updater?
25   A   I think the Market Updater is a utility

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1   nothing they can do about it. Typical --
2   BY MS. HURST:
3   Q   Sorry, go ahead.
4   A   I mean, the clarification here is that,
5   you know, hardware differentiation is good. People
6   can always extend the hardware and go beyond what's
7   part of Android, which is anticipating certain
8   hardware capabilities. The compatibility is
9   important in terms of making sure that all
10   applications have a minimum set of functionality
11   that they can rely on being available on every
12   phone, so...
13   Q   But in the case that you've described, it
14   is certainly not a write once for Samsung run
15   everwhere on all Android devices scenario, true?
16   MR. RAGLAND: Objection to form, beyond
17   the scope of noticed topics.
18   THE WITNESS: The point of the
19   compatability test is to make sure that an
20   application that's written that assumes the
21   compatability definition will work on all Android
22   phones, which includes phones that have more
23   hardware capabilities.
24   MS. HURST: How are we doing?
25   THE VIDEOGRAPHER: We're doing good. You

Page 167

1   that is constantly checking to see whether the
2   version of the app that you have on your device is
3   the same as the most recent version of the app that
4   is in the Play Store.
5   Q   What is the Network Location Provider?
6   A   I think it's the thing that we talked
7   about earlier, which is that it's just trying to
8   pinpoint your location using whatever information is
9   available.
10   Q   What is Widevine?
11   A   Widevine is a digital rights management
12   solution for watching protected content, HD content
13   and things like that. Netflix requires Widevine.
14   Q   Earlier you were telling me about the --
15   you were using the analogy of two houses; one that
16   was built from wood and one that was built from
17   concrete, and they both looked the same to the
18   person on the curb.
19   A   Uh-huh.
20   Q   In that analogy you meant the concrete
21   house to refer to Chrome OS and the wood house to
22   refer to Android, correct?
23   MR. RAGLAND: Objection to form.
24   THE WITNESS: Sorry. It didn't really
25   matter either way.

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43 (Pages 166 - 169)

1 BY MS. HURST:
2   Q   Well, how does it look to the person
3 inside the house?
4   MR. RAGLAND: Objection; form.
5   THE WITNESS: You could be -- you could
6 have the same issue. I mean, whether something is
7 made of wood and painted over, or whether it's made
8 of concrete and painted over, the finishes could be
9 exactly the same; may not necessarily look any
10 different.
11 BY MS. HURST:
12   Q   So I think we might be entering test
13 territory here, Mr. Lin.
14   If they look exactly the same on the
15 outside and the inside, then what's the purpose of
16 having two structures made of different composition?
17 I mean, are we just preparing for earthquakes?
18   MR. RAGLAND: Objection; form and scope.
19   THE WITNESS: Well, I think the -- I mean,
20 a big part of it is what are your future plans for
21 those houses?
22   For the one that's built of wood, you
23 could probably go to two to three stories. Maybe
24 the one that's built of concrete, you could go 60
25 stories, and you might not know today looking at it,

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1 but your plan for the future is to be able to be --
2 you know, have much more opportunity.
3 BY MS. HURST:
4   Q   With that understanding as one of the
5 critical differences, is it still your testimony
6 that the difference between -- that that wood could
7 refer to either Android or Chrome OS in this
8 analogy?
9   MR. RAGLAND: Objection to form and scope.
10   THE WITNESS: Yeah. I'm not sure what
11 you're getting at. Yes, they seem interchangeable
12 for these purposes.

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45 (Pages 174 - 177)

9 BY MS. HURST:

10   Q   And you don't consider it fragmentation

11 the fact that some devices that compete with one

12 another have different capabilities?

13   MR. RAGLAND: Objection to form and scope.

14   THE WITNESS: My point -- my point was

15 that some forms of fragmentation are actually quite

16 acceptable. Hardware fragmentation is quite

17 acceptable. It's what people -- that's how people

18 differentiate their devices.

19   The thing that we care about is the

20 software compatibility; that when someone writes an

21 application and it runs on an Android phone, the

22 expectation should be that that application will run

23 on any Android phone that carries the Android mark.

24 BY MS. HURST:

25   Q   But that would not be true, for example,

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1   MR. RAGLAND: Objection; form and scope.

2   THE WITNESS: There are not -- no. I

3 mean, people don't download an application that

4 specifically works with the fingerprint sensor.

5 Samsung has built their own applications to work

6 with the fingerprint sensor which only work on the

7 Samsung phone, and it's only relevant on their phone

8 because their phone is the only one that has a

9 fingerprint sensor.

10 BY MS. HURST:

11   Q   So Samsung has its own separate set of

12 applications that run on the Google platform and

13 take advantage of this hardware differentiation?

14   A   That's right. And they will use the

15 fingerprint sensor to implement certain APIs that

16 are relevant for applications; for example, you

17 know, a password.

18   So if an application requires a password,

19 Samsung can implement that API in such a way that

20 information that's read from the fingerprint sensor

21 can be passed to that application. But the

22 application doesn't have to know that it's working

23 with the fingerprint sensor; it just assumes that

24 it's taking password data.

25   Q   And so in other words, Samsung has been

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1 for an application using the Samsung fingerprint

2 reader that you were describing earlier; that would

3 be an application that takes advantage of a piece of

4 hardware that is not available on other devices,

5 true?

6   MR. RAGLAND: Objection; form and scope.

7   THE WITNESS: I don't think we're saying

8 the same thing. If you write an application and it

9 doesn't make use of the fingerprint sensor, which is

10 not part of the CDD, it will run on any Android

11 device that is Android compatible, including devices

12 that have a fingerprint sensor.

13 BY MS. HURST:

14   Q   Is the expectation that an application

15 will run on any Android phone that carries the

16 Android mark?

17   MR. RAGLAND: Objection; form.

18   THE WITNESS: The expectation is that any

19 application that you download from the Play Store

20 should run on any device that has the Android mark.

21 BY MS. HURST:

22   Q   All right.

23   And are there Samsung fingerprint reader

24 applications that can be downloaded from the Google

25 Play Store?

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1 able to write some software that will work with the

2 Android platform that allows the fingerprint data to

3 substitute where there would otherwise be a password

4 required?

5   MR. RAGLAND: Objection; form and scope.

6   THE WITNESS: That's an example I'm -- I'm

7 making up, yes.

8 BY MS. HURST:

9   Q   Okay.

10   And does Samsung modify, extend, subset or

11 otherwise, alter any of the core class libraries of

12 the Android platform in order to offer that

13 capability?

14   MR. RAGLAND: Objection; form, beyond the

15 scope.

16   THE WITNESS: I believe they extend the

17 set of APIs and the framework, but they have to pass

18 all of the CTS tests, which mean that they, in

19 addition to the additions, meet the minimum.

20 BY MS. HURST:

21   Q   Is -- by the way, you said Chromium --

22 Chromium is an open source project?

23   A   Uh-huh.

24   Q   Is Chrome OS derived somehow from

25 Chromium?

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46 (Pages 178 - 181)

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1   A   Chrome OS is essentially Chromium OS,
2 which is the open source version plus the closed
3 source bits.
4   Q   And is Chromium OS under -- what open
5 source license is that under?
6   MR. RAGLAND: Objection to scope.
7   THE WITNESS: I -- I'd have to take a
8 look. I haven't thought about that in a long time.
9 BY MS. HURST:
10   Q   Is it GPL?
11   MR. RAGLAND: Objection to form.
12   THE WITNESS: I'd have to look. I can
13 find out for you.
14   MS. HURST: All right, let's stop for the
15 day.
16   THE VIDEOGRAPHER: Going off the record.
17 The time is 4:07.
18   (Time noted: 4:07 p.m.)
19
20
21
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23
24
25

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1   I, the undersigned, a Certified Shorthand
2 Reporter of the State of California, do hereby certify:
3   That the foregoing proceedings were taken
4 before me at the time and place herein set forth; that
5 any witnesses in the foregoing proceedings, prior to
6 testifying, were administered an oath; that a record of
7 the proceedings was made by me using machine shorthand
8 which was thereafter transcribed under my direction;
9 that the foregoing transcript is a true record of the
10 testimony given.
11   Further, that the foregoing pertains to the
12 original transcript of a deposition in a Federal Case,
13 before completion of the proceedings, a review of the
14 transcript [X] was [ ] was not requested.
15   I further certify I am neither financially
16 interested in the action nor a relative or employee of
17 any attorney or any party to this action.
18   IN WITNESS WHEREOF, I have this date
19 subscribed my name.
20
21 Dated: 12/16/2015
22
23
24   *Kelli Combs*
        KELLI COMBS
25   CSR No. 7705

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1
2
3
4
5
6   I, FELIX LIN, do hereby declare under
7 penalty of perjury that I have read the foregoing
8 transcript; that I have made any corrections as
9 appear noted, in ink, initialed by me; that my
10 testimony as contained herein, as corrected, is true
11 and correct.
12   EXECUTED this_____day of_____, 2015, at
13 _____,_____.
14 (city)   (State)
15
16
17   _____
        FELIX LIN
18
19
20
21
22
23
24
25

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE ABOVE RULES ARE CURRENT AS OF SEPTEMBER 1, 2014. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

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1   UNITED STATES DISTRICT COURT

2   NORTHERN DISTRICT OF CALIFORNIA

3   SAN FRANCISCO DIVISION

4

5   ORACLE AMERICA, INC.,   )

6   Plaintiff,   ) Case No.

7   vs.   ) CV 10-03561 WHA

8   GOOGLE, INC.,   )

9   Defendant.   )

10   _____)

11

12

13   HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

14

15   VIDEOTAPED DEPOSITION OF GOOGLE'S 30(b)(6) WITNESS

16   FELIX LIN

17   San Francisco, California

18   Friday, December 18, 2015

19   Volume II

20

21   Reported by:

22   CARLA SOARES

23   CSR No. 5908

24   Job No. 2203183

25   Pages 185 - 305

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1   UNITED STATES DISTRICT COURT
2   NORTHERN DISTRICT OF CALIFORNIA
3   SAN FRANCISCO DIVISION
4
5 ORACLE AMERICA, INC.,   )
6   Plaintiff,   ) Case No.
7   vs.   ) CV 10-03561 WHA
8 GOOGLE, INC.,   )
9   Defendant.   )
10 _____)
11
12
13   HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY
14
15
16   VIDEOTAPED DEPOSITION OF GOOGLE'S
17 30(b)(6) WITNESS FELIX LIN, Volume II, taken on
18 behalf of Plaintiff, at 633 Battery Street,
19 San Francisco, California, beginning at 8:00 a.m.,
20 and ending at 10:59 a.m., on Friday, December 18,
21 2015, before CARLA SOARES, Certified Shorthand
22 Reporter No. 5908.
23
24
25
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13 ALSO PRESENT: Chester Day, In-House Counsel, Google
14   Ramon Peraza, Video Operator
15
16   --o0o--
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3 FELIX LIN   EXAMINATION
   Volume 2
4
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7   EXHIBITS
8 NUMBER   DESCRIPTION   PAGE
9 Exhibit 5094 Document headed   194
10   "Multi-networking - Feature in
11   L and M," Bates GOOG-00291517 -
12   1519
13
14 Exhibit 5095 Document labeled "Chrome &   203
15   Android Update,"
16   Bates GOOG-00291608 - 1810
17
18 Exhibit 5096 Email string, top email to   237
19   David Burke from Kan Liu,
20   dated 4-3-15,
21   Bates GOOG-00270758 - 0761
22
23 Exhibit 5097 Document entitled "Getting   254
24   Started with ARC"
25
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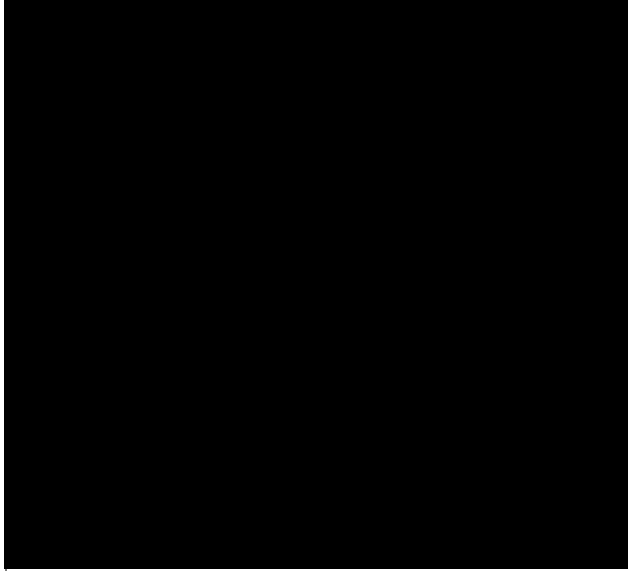
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866 299-5127

	EXHIBITS	
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Exhibit 5098 Document headed "Background   258
                Information,"
                Bates GOOG-10000734 - 0737

Exhibit 5099 Document labeled "Lenovo,"   271
                Bates GOOG-00274827 - 4877

Exhibit 5100 Thumb drive containing a   278
                spreadsheet, Bates GOOG-00258413

Exhibit 5101 Document labeled "Android,"   283
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Exhibit 5102 Document labeled "Android ON,"   284
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Exhibit 5103 Document labeled "Android   288
                Compatible Device,"
                Bates GOOG-00358049 - 8063

	EXHIBITS	
NUMBER	DESCRIPTION	PAGE

Exhibit 5104 Document headed "Android &   297
                Chrome Partnerships - Executive
                Summary - w/e October 16, 2015,"
                Bates GOOG-00257954 - 7966

                --o0o--

1   San Francisco, California
2   Friday, December 18, 2015
3   8:00 a.m.
4
5   P R O C E E D I N G S
6   THE VIDEO OPERATOR: Good morning. We are
7   on the record at 8:00 a.m. on December 18th, 2015.
8   This is the videotaped deposition of Mr. Felix Lin.
9   My name is Ramon Peraza, here with our
10 court reporter, Carla Soares. We're here from
11 Veritext Legal Solutions at the request of counsel
12 for the plaintiff.
13   This deposition is being held at Keker &
14 Van Nest in San Francisco. The caption of this case
15 is Oracle America, Inc., versus Google, Inc., Case
16 No. CV 10-03561 WHA.
17   Please note that video- and
18 audio-recording will take place unless all parties
19 have agreed to go off the record. Microphones are
20 sensitive and may pick up whispers or private
21 conversations.
22   At this time, Counsel, please identify
23 yourselves for the record and state whom you
24 represent.
25   MS. HURST: Annette Hurst and Michelle

1   O'Meara from Orrick for Oracle.
2   MR. RAGLAND: Steven Ragland, Keker &
3   Van Nest, on behalf of Google. Also present,
4   Chester Day from Google.
5   THE VIDEO OPERATOR: The court reporter
6   may now swear in the witness.
7   FELIX LIN,
8   having been administered an oath, was examined and
9   testified as follows:
10   EXAMINATION (Continued)
11 BY MS. HURST:
12   Q   Good morning, Mr. Lin.
13   A   Good morning.
14   Q   And you're here testifying again on behalf
15 of Google; do you understand that?
16   A   Yes.
17   Q   On Topics 3, 4 and 5 in the notice that we
18 looked at previously?
19   A   Yes.
20   MR. RAGLAND: As limited, as we discussed
21 previously.
22   MS. HURST: We're not agreeing to any
23 objections, but I understand you're talking about
24 your designations.
25   MR. RAGLAND: Correct.

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1   MS. HURST: All right. Exhibit 5094 is
2 GOOG-00291517 through 519.
3   (Exhibit 5094 was marked for
4   identification and is attached hereto.)
5 BY MS. HURST:
6   Q Mr. Lin, before we look at 5094, would you
7 remind me, you said that for about the last year
8 you've had the responsibility in dealing with
9 Android hardware partners; is that right?
10   A That's correct.
11   Q What has been your responsibility for the
12 last year in dealing with Android hardware partners?
13   MR. RAGLAND: Objection. Outside the
14 scope.
15   THE WITNESS: My goal is to make sure that
16 they're able to successfully build Android devices;
17 phones, tablets, and other devices.
18 BY MS. HURST:
19   Q And does that extend to providing them
20 with support and other information to enable them to
21 build hardware devices using Android?
22   A Yes.
23   Q All right. Do you recognize Exhibit 5094?
24   A I've never seen this.
25   Q Is there any kind of a website or other

Page 194

1 BY MS. HURST:
2   Q And what do you call that?
3   A It's an Android partner front end.

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6 BY MS. HURST:
7   Q Are you familiar with a multi-networking
8 feature in Android versions L and M?
9   MR. RAGLAND: Objection. Form and scope.
10   THE WITNESS: Only from what I'm reading
11 now.
12 BY MS. HURST:
13   Q And you're referring to Exhibit 5094?
14   A Yes, I am.
15   Q In the Android partner front end, are
16 there documents of the sort that you see in
17 Exhibit 5094 describing features in Android and how
18 to take advantage of them?
19   MR. RAGLAND: Objection. Form, outside
20 the scope.
21   THE WITNESS: I don't believe these types
22 of documents are in the Android partner front end.

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4 (Pages 194 - 197)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

10 BY MS. HURST:
11   Q   And is there a confidential -- a place
12 where confidential information of that type is kept?
13   MR. RAGLAND: Same objections.
14   THE WITNESS: None of it really -- it's
15 really only confidential up until the point that the
16 platform is released. So as soon as the feature is
17 released, then it would be on source.android.com.
18 It's completely open.
19   The reason we keep it confidential until
20 it's released is it's incomplete. So typically
21 either it's incomplete or it's not working, and it's
22 too early for people to actually rely on that
23 feature being in the platform.

24 BY MS. HURST:
25   Q   Does Google allow its hardware partners to

 1 self-certify using the CTS?
 2   MR. RAGLAND: Objection. Form, outside
 3 the scope.
 4   THE WITNESS: I'm not sure what you mean
 5 by "self-certify."
 6 BY MS. HURST:
 7   Q   In other words, does it provide the CTS to
 8 its hardware partners, let them run it themselves,
 9 and declare that they've passed it with some --
10 perhaps by providing some piece of information or
11 otherwise?
12   MR. RAGLAND: Objection to form and scope.
13   THE WITNESS: So I believe that in our
14 agreements with the developers, hardware developers,
15 they're not allowed to use our brand trademarks
16 unless the device is compatible.
17   So if they pass the CTS, then they can go
18 ahead and use those trademarks that represent that
19 it's Android-compatible.
20 BY MS. HURST:
21   Q   And do you run the -- that is, do you,
22 Google, then run the CTS to determine whether it
23 passes, or do you let them run it themselves?
24   MR. RAGLAND: Objection to scope and form.
25   THE WITNESS: The hardware manufacturers

5 (Pages 198 - 201)

1 run the tests themselves and they submit the tests
2 back to us.
3 BY MS. HURST:
4   Q   So do you give the hardware manufacturers
5 the source code for CTS?
6   MR. RAGLAND: Same objections.
7   THE WITNESS: I'm not sure whether they
8 have access to the source code for the tests or not.

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1   MS. HURST: Exhibit 5095 is GOOG-00291608
2 through 291810.
3   (Exhibit 5095 was marked for
4   identification and is attached hereto.)
5 BY MS. HURST:
6   Q   I think it might be a two-sided copy,
7 Mr. Lin, so if you wanted to take the clip off to
8 make it easier to look at, feel free.
9   A   Sure.
10   Q   Do you recognize Exhibit 5095?
11   A   Yes.
12   Q   What is it?
13   A   It's just an update deck for a team
14 offsite.
15   Q   Whose team?
16   A   My team.
17   Q   Is this a deck that you put together?
18   A   No. It's a deck that my leads put
19 together.
20   Q   Under your supervision?
21   A   Yes.
22   Q   And are you the one who presented it or
23 some part of it?
24   A   Each of them presented their portion.
25   Q   So if we look at the page ending 609,

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1 "Introduction & Agenda," @felixlin --
2   A   Yes.
3   Q   -- so that indicates that you gave the
4 introduction and announced the agenda for this
5 presentation?
6   A   Correct.
7   Q   All right. And were you present for
8 this -- the presentation as it's reflected in
9 Exhibit 5095?
10   A   I was there for the first day.
11   Q   On page ending 610, "Agenda," do you see
12 that?
13   A   Yes.
14   Q   Under "Android," there's a series of
15 bullet points with names next to them.
16   Do you see that?
17   A   Yes.
18   Q   And platform programs, who is the person
19 associated with that?
20   A   Unsuk.
21   Q   And who is that?
22   A   He's one of the folks on my team who works
23 with hardware manufacturers.
24   Q   And is that his full name or --
25   A   That's a first name.

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1   Q   You're thinking of his last name?
2   A   Yeah, I don't remember his last name. I
3 never use it.
4   Q   All right. And what is platform programs
5 in relation to the Android update as reflected in
6 Exhibit 5095?
7   MR. RAGLAND: Objection. Outside the
8 scope. Objection to form.
9   THE WITNESS: It's, you know, general
10 information, communication about Android platform
11 new releases to hardware manufacturers.

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6 (Pages 202 - 205)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

8 (Pages 210 - 213)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

 8 BY MS. HURST:
 9   Q   Are you familiar generally with the
10 subject of this lawsuit and the allegation that
11 Google improperly copied 37 Java API packages into
12 Android?
13   MR. RAGLAND: Objection to form. Outside
14 the scope of designated topics.
15   THE WITNESS: From what I read in the
16 news, yes.

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9 (Pages 214 - 217)

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HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

11 (Pages 222 - 225)

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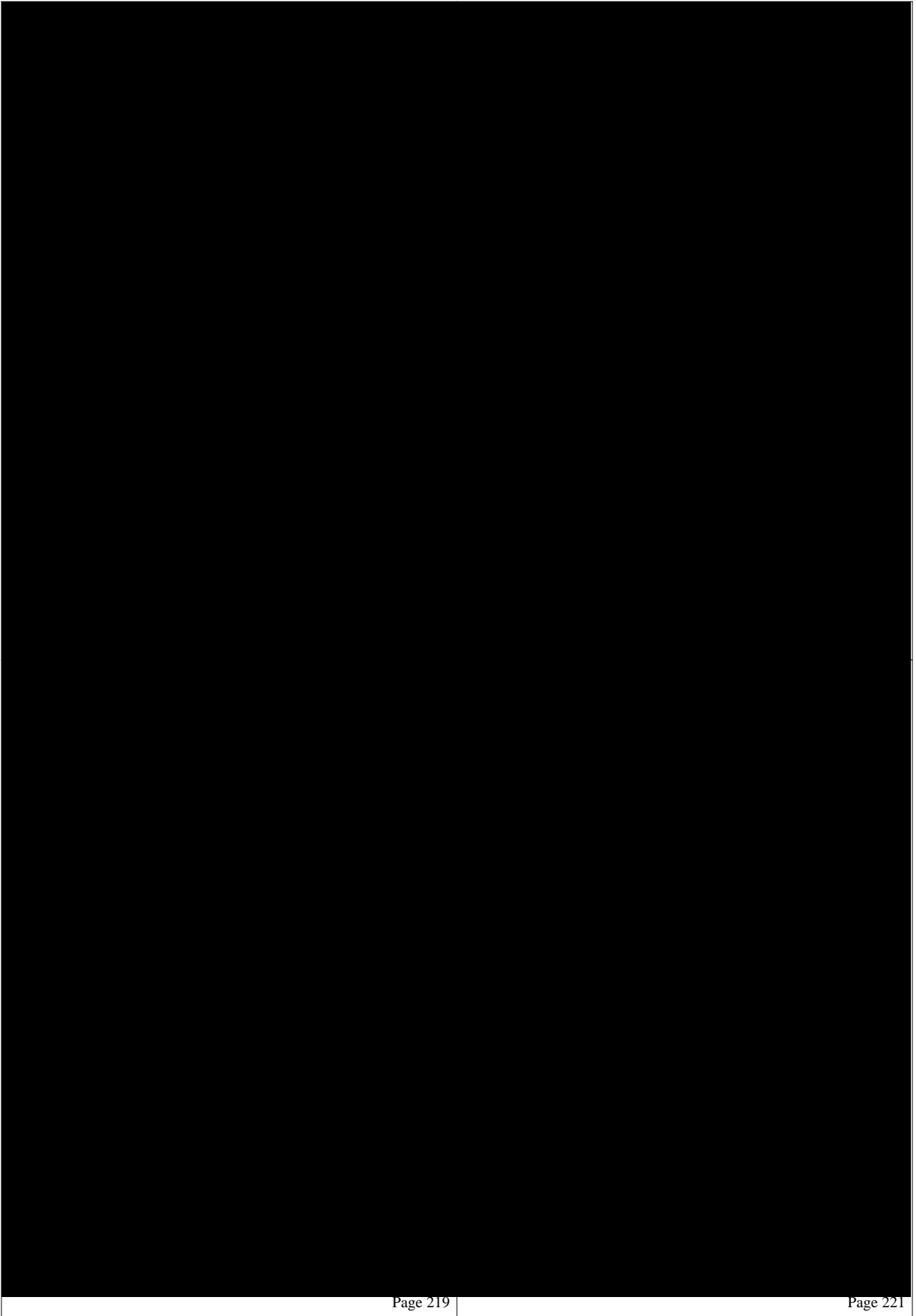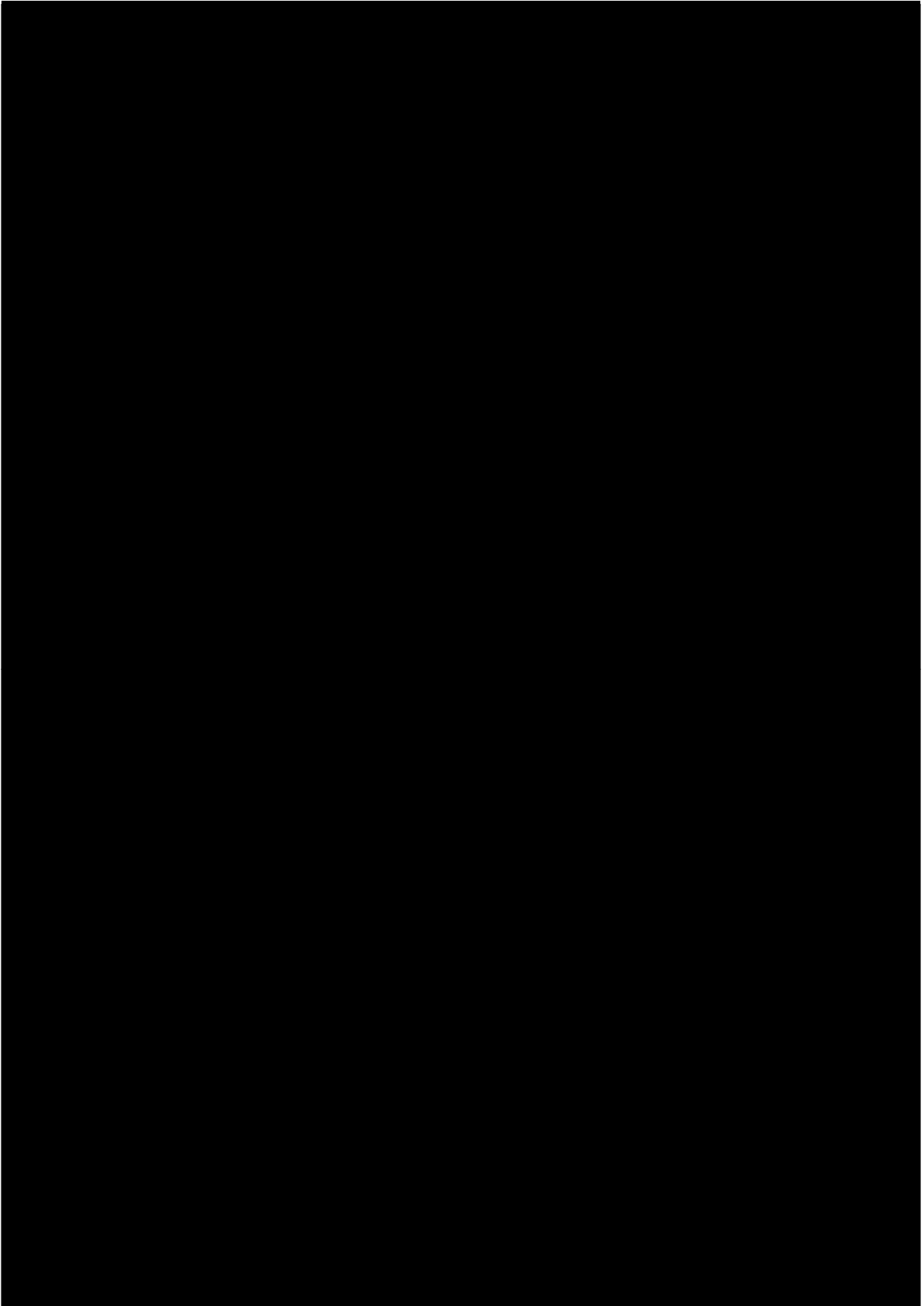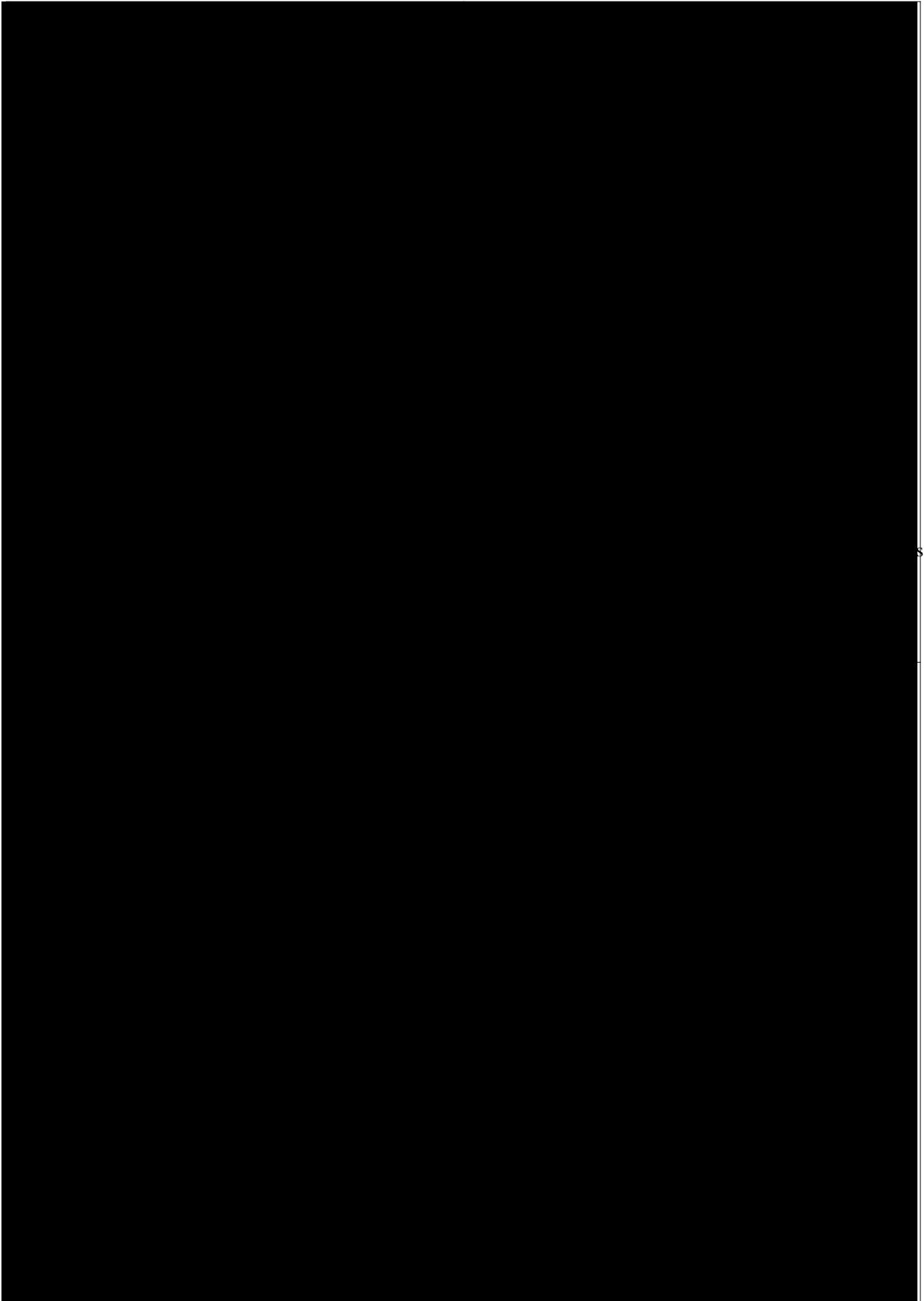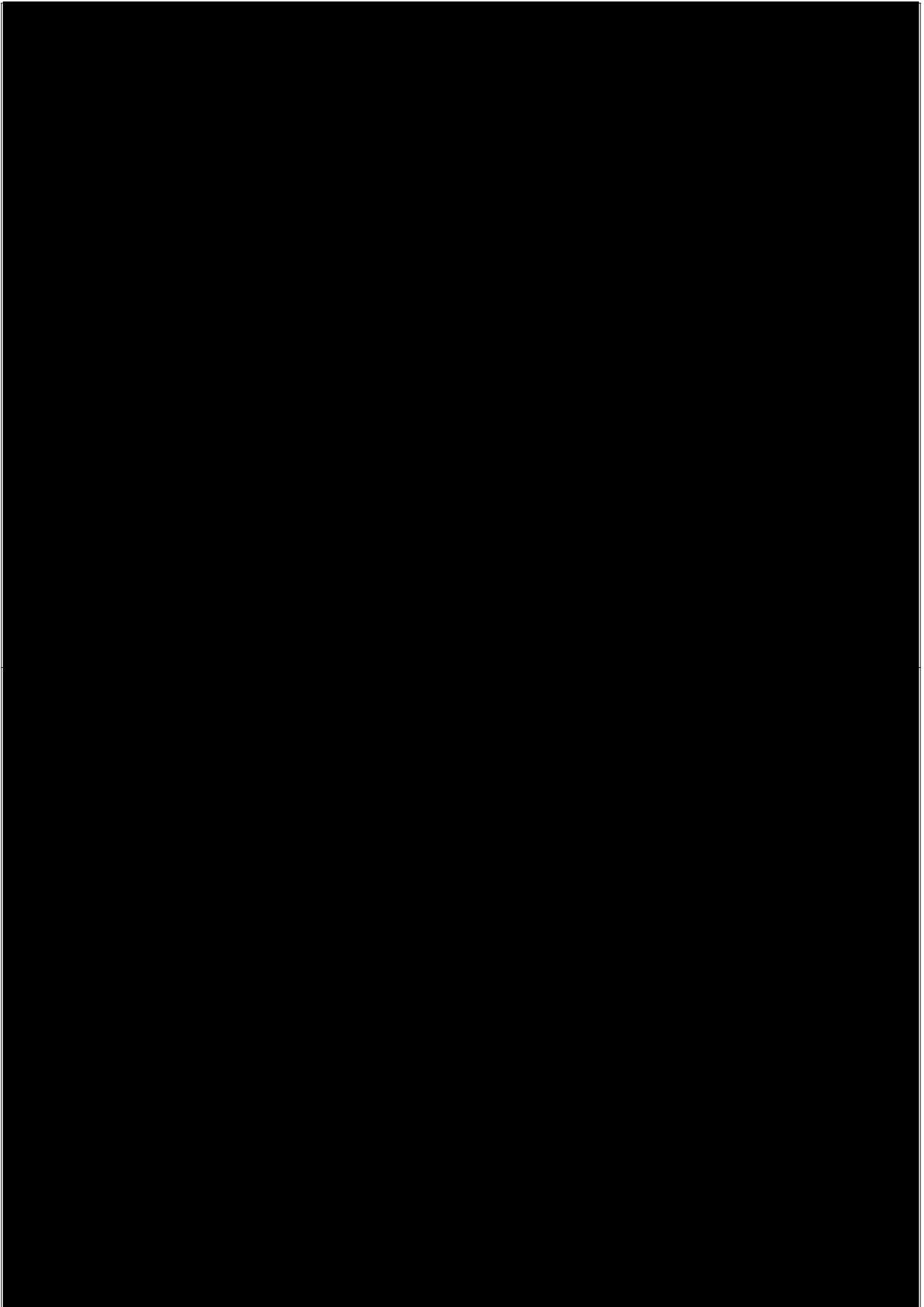
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13 (Pages 230 - 233)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

8   MS. HURST: Why don't we take a

9 five-minute break.

10   THE VIDEO OPERATOR: We are off the record

11 at 9:04 a.m.

12   (Recess, 9:04 a.m. - 9:12 a.m.)

13   THE VIDEO OPERATOR: We are back on the

14 record at 9:12 a.m.

15   MS. HURST: All right. Exhibit 5096 is

16 GOOG-00270758 through 61.

17   (Exhibit 5096 was marked for

18   identification and is attached hereto.)

19 BY MS. HURST:

20   Q Mr. Lin, as in many email threads printed

21 for litigation, you have to read from the bottom up.

22 So the first email in this thread is the one

23 starting on the second page, the lengthy one from

24 Mr. Lockheimer, starting on page 759.

25   Mr. Lin, while you're reviewing the

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14 (Pages 234 - 237)

1 document, Exhibit 5096, first let me ask if you were
2 a recipient on Mr. Lockheimer's original email of
3 Thursday, April 2nd, 2015, at 10:30 a.m.
4   A   Yes, I was.
5   Q   So are you included then -- at that time
6 you were included in the "Android All" alias?
7   A   Yes.

15 (Pages 238 - 241)

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Page 245

16 (Pages 242 - 245)
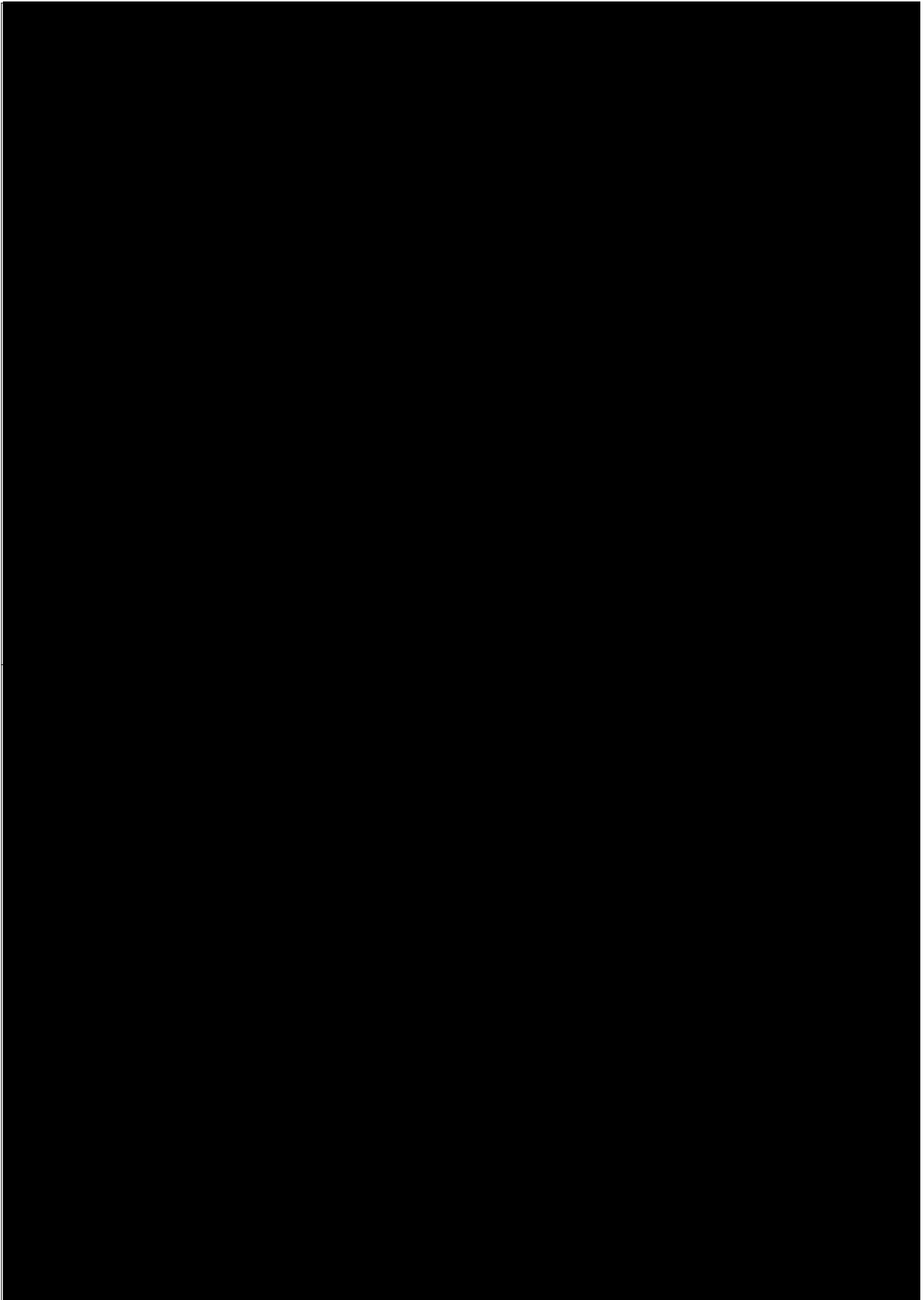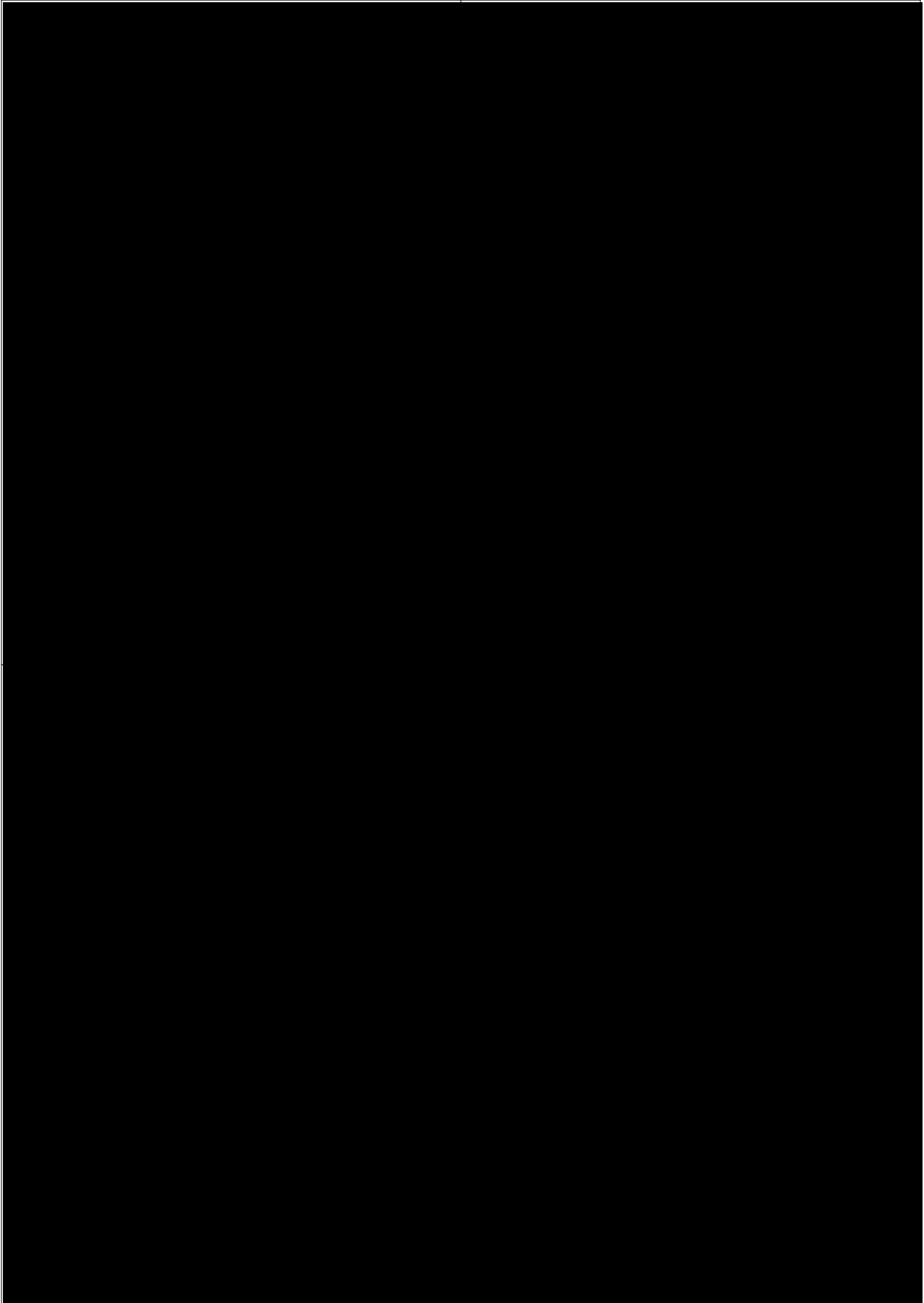
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17 (Pages 246 - 249)

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Page 253

18 (Pages 250 - 253)

11   MS. HURST: Exhibit 5097 is a document
12 entitled "Getting Started with ARC," printed from
13 developer.chrome.com/apps/getstarted_arc."
14   (Exhibit 5097 was marked for
15   identification and is attached hereto.)
16 BY MS. HURST:
17   Q   Mr. Lin, what is developer.chrome.com?
18   A   It's a website which is intended to
19 provide documentation for developers.
20   Q   And that's software developers?
21   A   Yes, primarily software developers.
22   Q   So people who want to write applications
23 to run on Chromebooks, for example?
24   A   It's, yes, developers who want to write
25 applications that run on Chromebooks, but also

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1 BY MS. HURST:
2   Q   It's open to the public?
3   A   Right.
4   Q   All right. So turning to the second page,
5 it says, "To test your app, you need three things:
6 Your APK."
7   What's an APK?
8   A   That's the Android application.
9   Q   So that's the Android application that's
10 been compiled into binary form; is that right?
11   A   Yes.
12   Q   And you need a Chromebook, and it
13 specifies which types will work; is that right?
14   A   That's correct.
15   Q   And then the ARC Welder app?
16   A   Yes.
17   Q   And is that a link there to the -- where
18 you can get the app?
19   MR. RAGLAND: Objection. Form, scope.
20   THE WITNESS: It should be. I can't tell
21 for certain, but yes.
22 BY MS. HURST:
23   Q   Okay. All right. Now, it says, "Test
24 your app. Open ARC Welder, attach your APK, and
25 select your options. Click Launch App to test your

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1 hardware manufacturers and component suppliers that
2 are interested in supporting applications.
3   THE REPORTER: I'm sorry. "Component
4 suppliers that" --
5   THE WITNESS: -- are interested in
6 building hardware that supports Chrome OS.
7 BY MS. HURST:
8   Q   I think you said hardware manufacturers
9 and component suppliers who are interested in
10 supporting applications; is that right?
11   A   And for Chrome OS. Right. Sorry.
12   Q   No, I just want to make sure we got it
13 right.
14   All right. So this particular piece of
15 documentation from developer.chrome.com is
16 instructions about how to run your favorite Android
17 apps on Chrome OS, true?
18   MR. RAGLAND: Objection. Form. Also,
19 outside the scope of the noticed topics.
20   THE WITNESS: Yes.
21 BY MS. HURST:
22   Q   Now, is this available to any Chrome
23 developer?
24   MR. RAGLAND: Same objections.
25   THE WITNESS: It's open to anybody.

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1 app. When testing, file a bug if something doesn't
2 work, or find us on Stack Overflow for help."
3   Do you see that?
4   A   Yes.
5   Q   So on Android, the application binary
6 makes -- takes advantage of a compiler that at
7 different times has been called the Dalvik or the
8 Android run time; is that right?
9   MR. RAGLAND: Objection. Scope and form.
10   THE WITNESS: I believe so. I haven't
11 written any applications for Android so --
12 BY MS. HURST:
13   Q   So ARC Welder works with -- I want to make
14 sure I understand this -- pre-compiled code; it's
15 already been compiled for use with Android run time?
16   MR. RAGLAND: Objection to form. Outside
17 the scope of designated topics.
18   THE WITNESS: I personally haven't tried
19 it, but conceptually I believe that's correct.
20 BY MS. HURST:
21   Q   And then -- so what I'm trying to
22 understand is how an application compiled for use
23 with an Android run time can run on the Chrome
24 operating system.
25   MR. RAGLAND: Same objections.

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19 (Pages 254 - 257)

1 BY MS. HURST:

2   Q   Can you help?

3   A   I don't know the low-level engineering

4 details for how that magic is performed.

5   Q   So do you know then whether the app run

6 time for Chrome does or doesn't include the Android

7 run time?

8   MR. RAGLAND: Same objections.

9   THE WITNESS: I don't know. I would

10 only -- I would be just guessing.
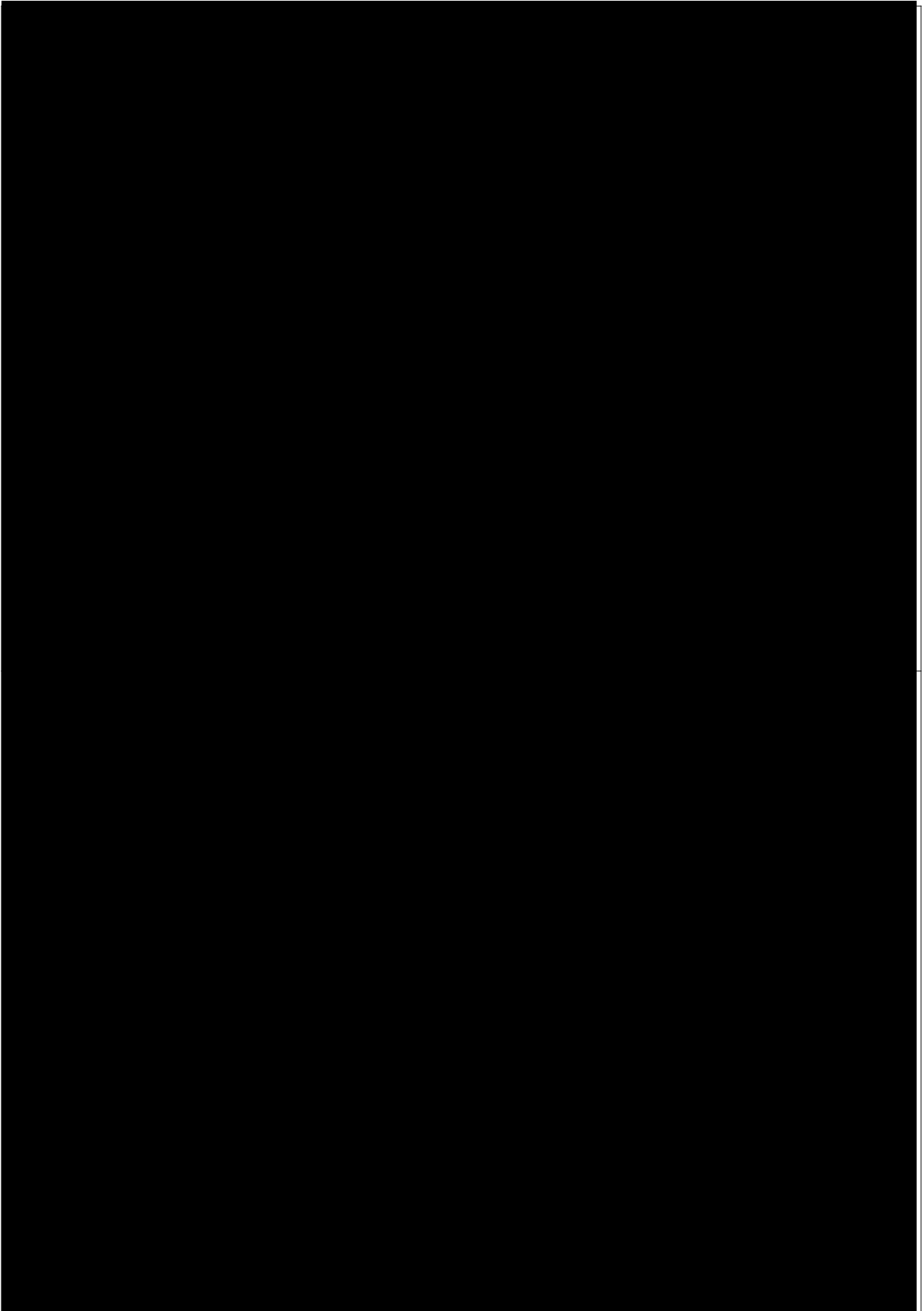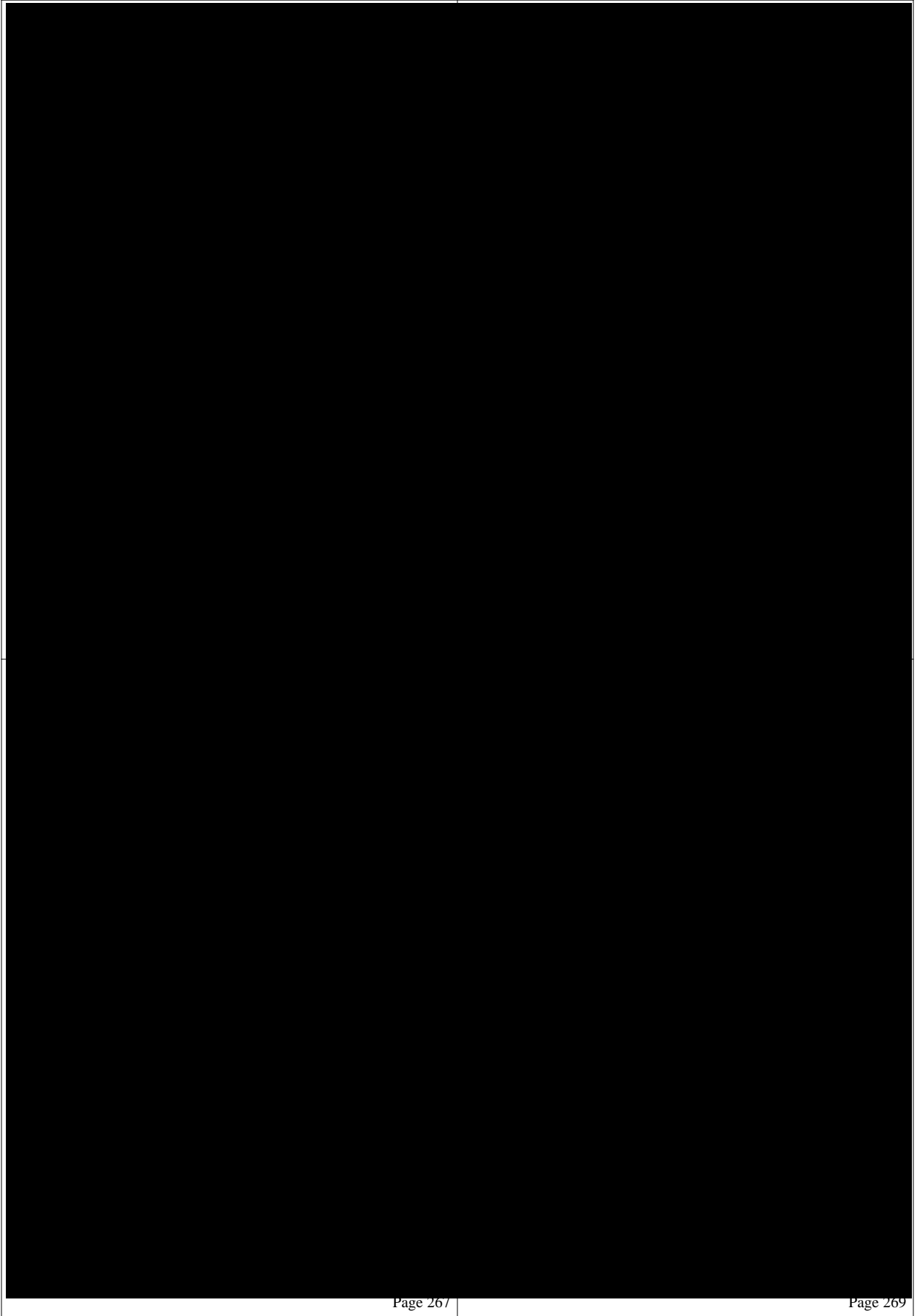
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22 (Pages 266 - 269)

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23 (Pages 270 - 273)

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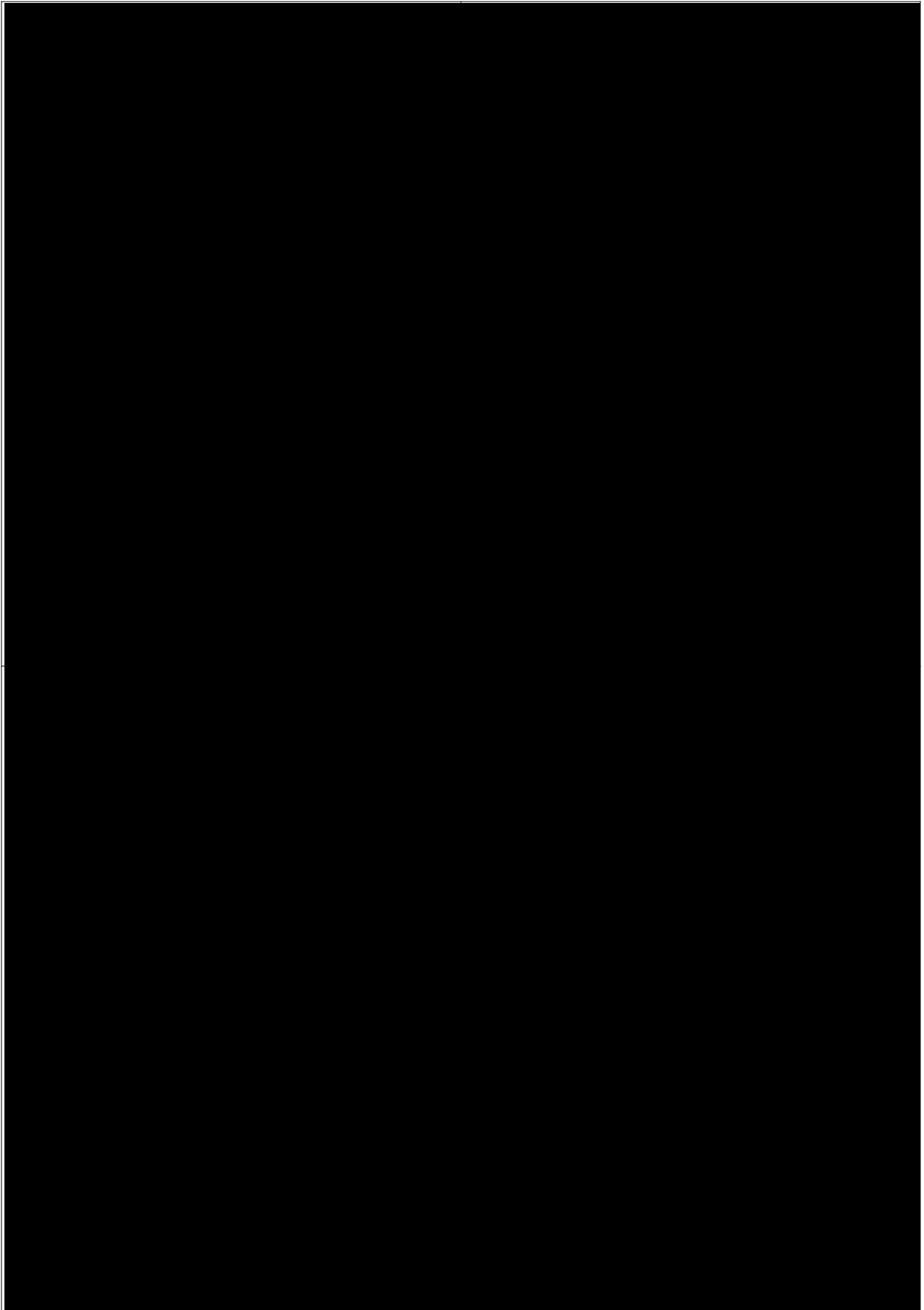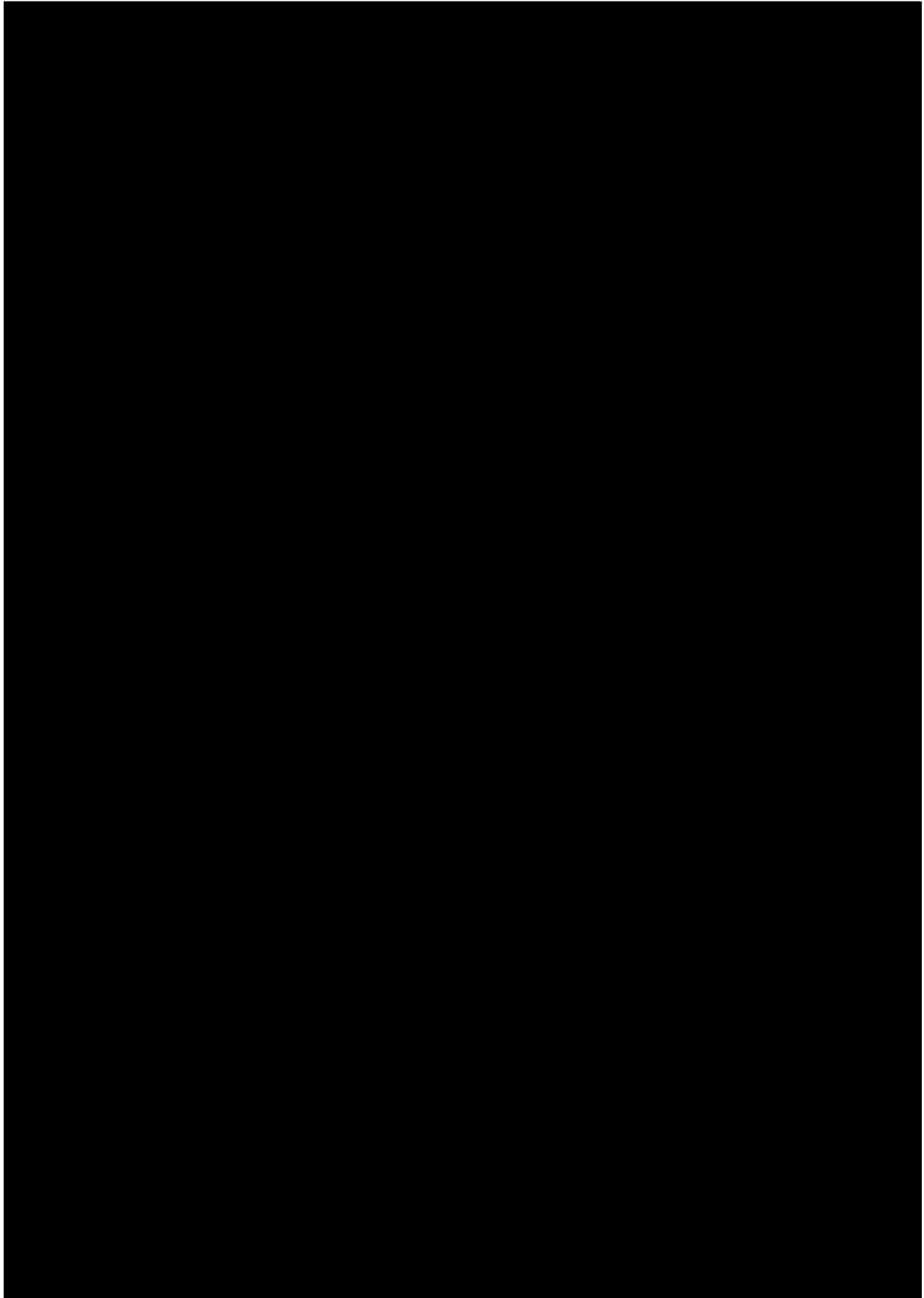
HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

14   MS. HURST: Why don't we take our second
15 and last break of the morning.
16   MR. RAGLAND: All right.
17   THE VIDEO OPERATOR: We are off the record
18 at 10:11 a.m.
19   (Recess, 10:11 a.m. - 10:21 a.m.)
20   THE VIDEO OPERATOR: We are back on the
21 record at 10:21 a.m.
22   (Exhibit 5100 was marked for
23   identification and is attached hereto.)

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25 (Pages 278 - 281)
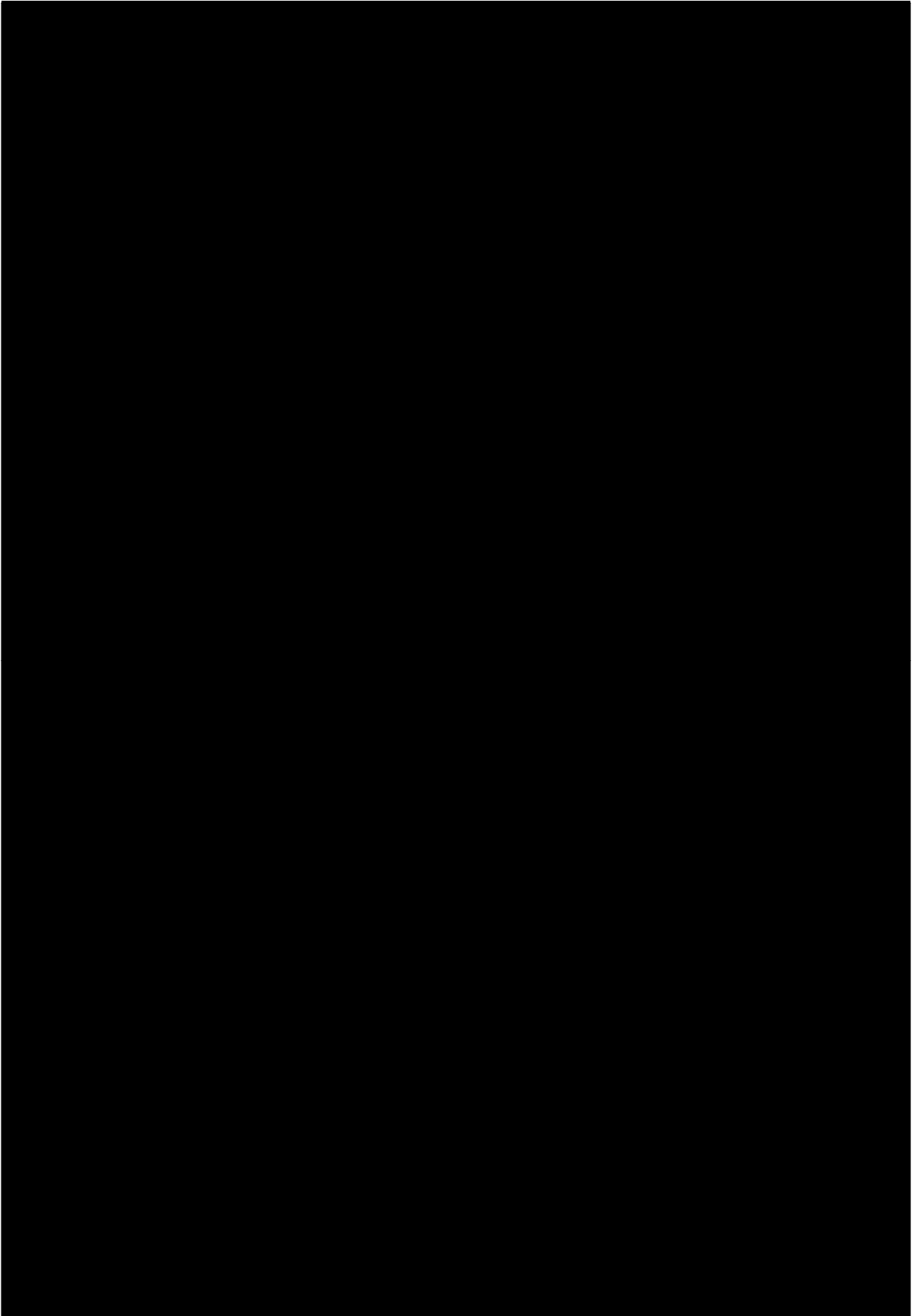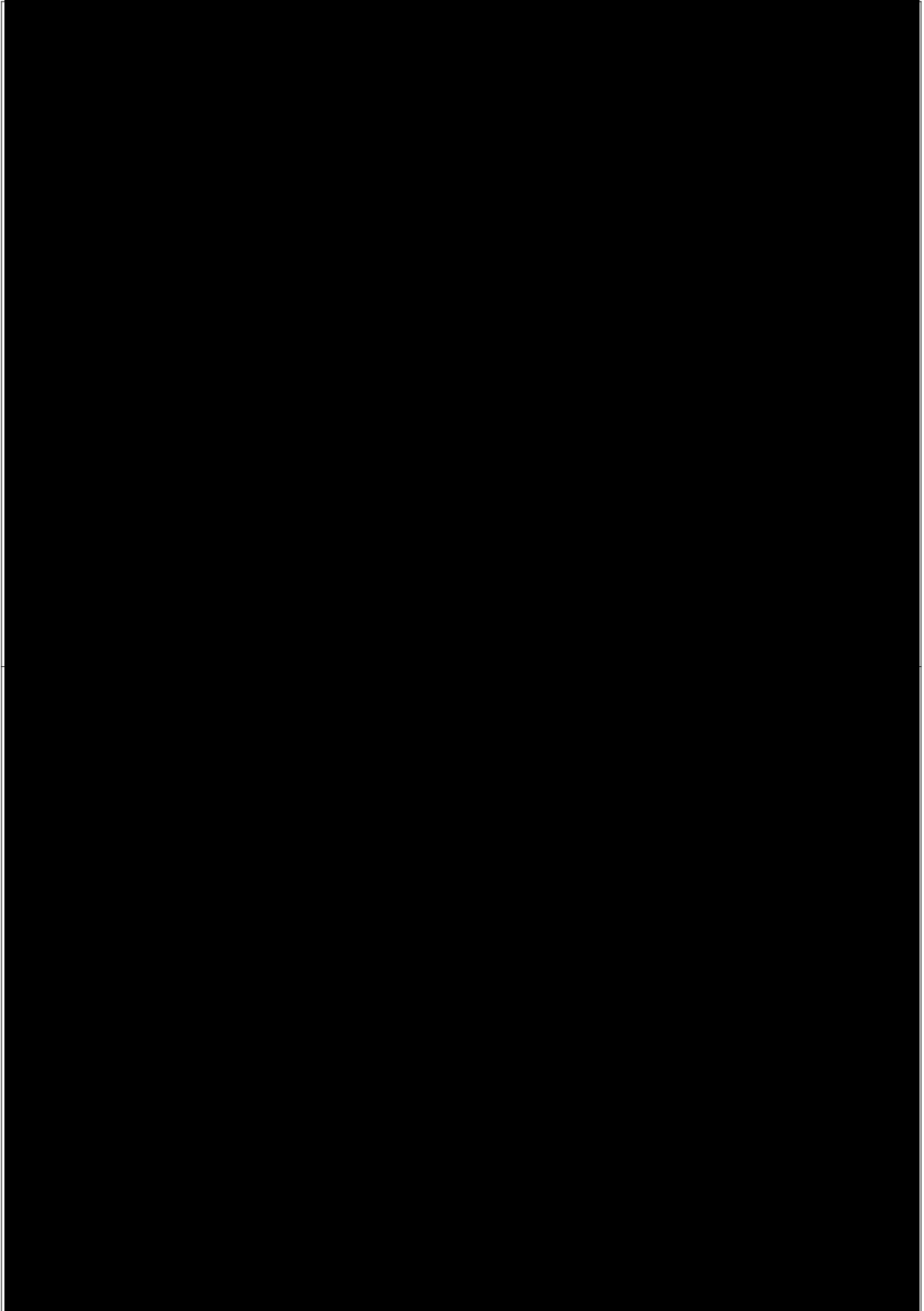
26 (Pages 282 - 285)

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HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY
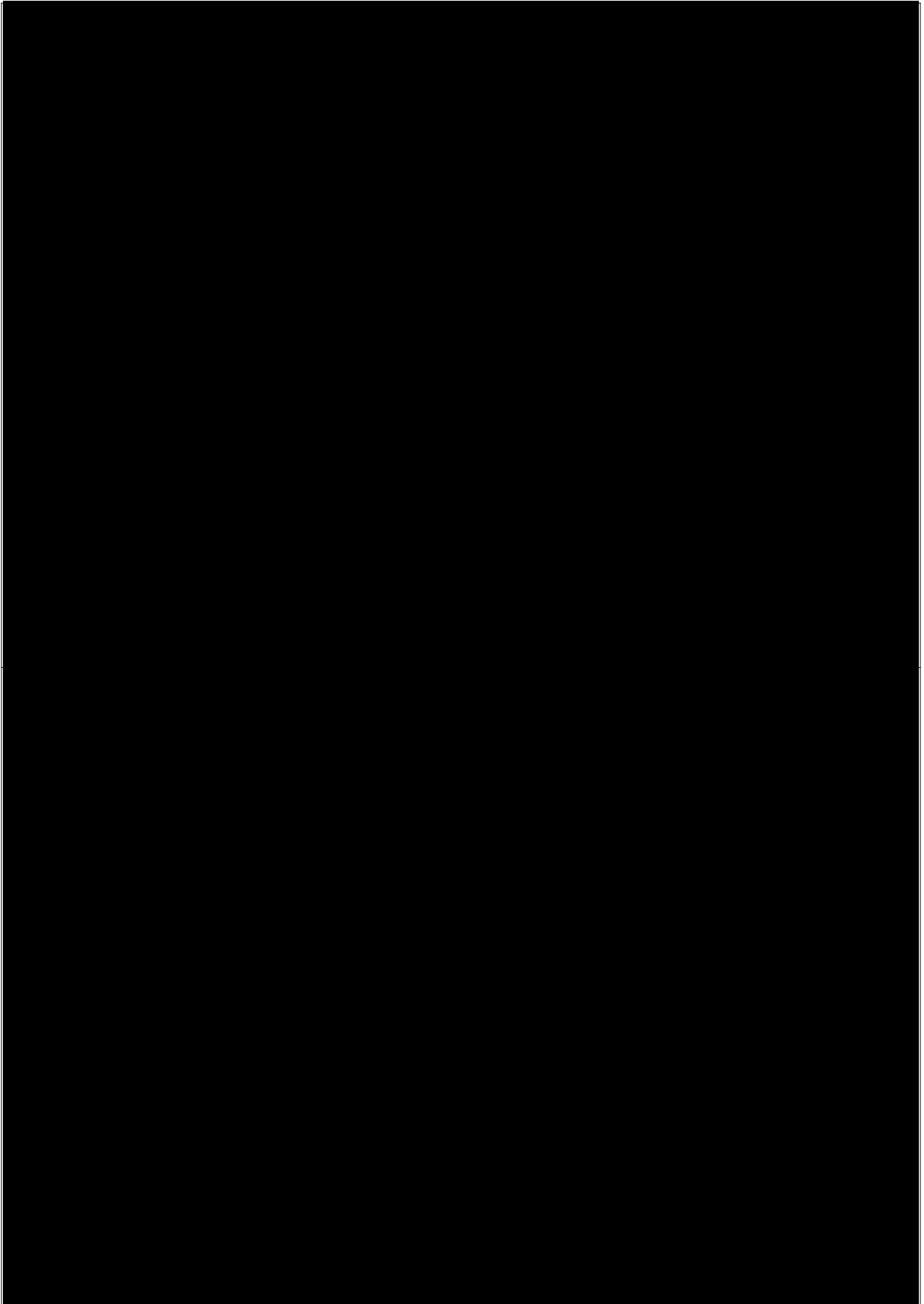
28 (Pages 290 - 293)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

1 the specific subject of Android for Work?
2   MR. RAGLAND: Objection to form and scope.
3   THE WITNESS: Not from a licensing
4 standpoint. Android for Work is more of a packaging
5 of a set of features for marketing purposes.
6   So there may be marketing specific
7 agreements about using Android for Work as a brand
8 or, you know, other marketing-related efforts.

10   Q   Are you familiar with Android for Work?
11   A   I am.
12   Q   What is it?
13   MR. RAGLAND: Objection to scope.
14   THE WITNESS: It's Android focused on
15 features for enterprise.
16 BY MS. HURST:
17   Q   And is that -- is it the same as the
18 Android open source platform or is it somehow
19 different?
20   MR. RAGLAND: Objection to form and scope.
21   THE WITNESS: It's a higher set of
22 features built on top of Android open source.
23 BY MS. HURST:
24   Q   And are those features open source or are
25 they licensed on a commercial basis?

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17 BY MS. HURST:
18   Q   Are you aware of any negotiations,
19 agreements or contracts with Apple pertaining to the
20 distribution of Google services or Google
21 applications for IOS?
22   A   Yes.
23   Actually, I think I forgot to mention, but
24 as part of the prep for the deposition, I did talk
25 to the lead engineer who is managing our IOS apps to

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1   MR. RAGLAND: Same objections.
2   THE WITNESS: They would be available open
3 source.
4 BY MS. HURST:
5   Q   Are they presently available on an open
6 source basis?
7   A   Yes.
8   Q   What is the licensing model for Android
9 for Work?
10   MR. RAGLAND: Objection to form and scope.
11   THE WITNESS: Android for Work is included
12 in Android open source.
13 BY MS. HURST:
14   Q   Is there a certification program or other
15 set of requirements associated with licensing or
16 distribution of Android for Work?
17   MR. RAGLAND: Objection to form.
18   THE WITNESS: Nothing in addition to just
19 Android compatibility. So there are specific
20 interfaces and features that are part of Android
21 open source, which are -- were intended specifically
22 for Android for Work, but it's part of the base
23 platform.
24 BY MS. HURST:
25   Q   And does Google enter into agreements with

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1 find out more about what we do for IOS.
2   Q   All right. I'm interested in the
3 negotiations or contracts as opposed to the
4 technical infrastructure --
5   A   Okay.
6   Q   -- with Apple pertaining to the
7 distribution or licensing of Google services or
8 applications on IOS.
9   Do you know anything about that?
10   A   Yes.
11   Q   Okay. What do you know?
12   A   Basically we were an Apple developer. We
13 have an iTunes account, and we take the Google apps
14 and we publish them through the app store.
15   Apple has to approve those apps, and when
16 they do, they give us a cert to sign the app and
17 distribute it through their app store.
18   We sign up as an Apple developer, so
19 there's an Apple developer program agreement. You
20 know, we basically sign up to their standard
21 agreement. We don't negotiate any -- anything
22 special.
23   And then there's a separate agreement to
24 use the X code developer environment in their SDK to
25 actually build the apps to run on IOS.

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30 (Pages 298 - 301)

1   So we signed that agreement, and we used
2 their SDK to build the IOS versions of our
3 applications.
4   Q   Is there any agreement between Google and
5 Apple that relates to revenue sharing associated
6 with advertising?
7   MR. RAGLAND: Objection to form and scope.
8   THE WITNESS: I've never seen one.
9 BY MS. HURST:
10   Q   Okay. Do you know whether there is one
11 way or another?
12   MR. RAGLAND: Same objections.
13   THE WITNESS: I don't know.
14 BY MS. HURST:
15   Q   Have you seen published reports that
16 Google pays Apple a billion dollars a year to be the
17 search carrier or search service providing on IOS?
18   MR. RAGLAND: Same objections.
19   THE WITNESS: I've seen news reports that
20 Google pays for search traffic from Apple.
21 BY MS. HURST:
22   Q   You've seen reports that Google pays a
23 billion dollars a year, right?
24   MR. RAGLAND: Objection to form and scope.
25   THE WITNESS: I haven't seen the amounts.

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1 BY MS. HURST:
2   Q   Do you have any knowledge as to whether
3 there is an agreement providing for such payments or
4 as to the amount of those payments?
5   MR. RAGLAND: Same objections.
6   THE WITNESS: I have not.
7   MS. HURST: I think that brings us to
8 11:00 a.m.
9   MR. RAGLAND: All right. This will
10 conclude the deposition of Mr. Lin in both his
11 personal and 30(b)(6) capacity.
12   THE VIDEO OPERATOR: We are off the record
13 at 10:59 a.m. Thank you.
14   (TIME NOTED: 10:59 a.m.)
15   --o0o--
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7
8   I, FELIX LIN, do hereby declare under
9 penalty of perjury that I have read the foregoing
10 transcript; that I have made any corrections as
11 appear noted, in ink, initialed by me, or attached
12 hereto; that my testimony as contained herein, as
13 corrected, is true and correct.
14   EXECUTED this _____ day of _____,
15 2015, at _____, _____.
16   (City)   (State)
17
18
19   _____
20   FELIX LIN
21
22
23
24
25

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1   I, the undersigned, a Certified Shorthand
2 Reporter of the State of California, do hereby
3 certify:
       That the foregoing proceedings were taken
4 before me at the time and place herein set forth;
5 that any witnesses in the foregoing proceedings,
6 prior to testifying, were administered an oath; that
7 a record of the proceedings was made by me using
8 machine shorthand which was thereafter transcribed
9 under my direction; that the foregoing transcript is
10 a true record of the testimony given.
       Further, that if the foregoing pertains to
11 the original transcript of a deposition in a Federal
12 Case, before completion of the proceedings, review
13 of the transcript [x] was [ ] was not requested.
14   I further certify I am neither financially
15 interested in the action nor a relative or employee
16 of any attorney or any party to this action.
17   IN WITNESS WHEREOF, I have this date
18 subscribed my name.
19
20 Dated: 12/22/15
21
22
23
24   CARLA SOARES
25   CSR No. 5908

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[& - 676]

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& 187:4,12 188:4 189:14 191:3 192:13 193:2 204:1 221:10 275:12 297:10	**10000734** 190:5 258:11 **1063** 190:14 283:2 **10:11** 278:18,19 **10:21** 278:19,21 **10:30** 238:3 **10:59** 186:20 303:13 303:14 **11:00** 303:8 **12/22/15** 305:20 **1217** 190:17 **13** 253:15 **1519** 189:12 **16** 191:5 297:11 298:4 **18** 185:18 186:20 192:2 **1810** 189:16 **185** 185:25 **18th** 192:7 **193** 189:5 **194** 189:9	**213.612.2418** 187:17 **21k** 219:3 **2203183** 185:24 **237** 189:18 **254** 189:23 **258** 190:3 **258143** 280:4 **27** 218:10 **271** 190:7 **278** 190:10 **283** 190:13 **284** 190:16 **288** 190:19 **291810** 203:2 **297** 191:3 **2nd** 238:3,9 248:5	197:24 200:1 202:10 **5095** 189:14 203:1,3 203:10 204:9 205:6 211:8 **5096** 189:18 237:15 237:17 238:1 239:2 **5097** 189:23 254:11 254:14 **5098** 190:3 258:11 258:13 260:22 261:1 **5099** 190:7 271:22 271:24 272:12 273:17 275:4 **5100** 190:10 278:22 279:8 **5101** 190:13 282:25 283:4 **5102** 190:16 284:19 284:20 **5103** 190:19 288:19 288:22 **5104** 191:3 297:9,13 297:16 **519** 194:2 **5908** 185:23 186:22 305:25

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00251037 190:14 283:2 **00251200** 190:17 284:19 **00257954** 191:6 297:9 **00258049** 288:20 **00258413** 190:11 279:7,13 **00270758** 189:21 237:16 **00274827** 190:8 271:22 **00291517** 189:11 194:2 **00291608** 189:16 203:1 **00358049** 190:21 **041** 283:14 **052** 283:22 **053** 283:23 291:8 **054** 283:23,24 **055** 283:23 **056** 292:12 **057** 292:22 **0737** 190:5 **0761** 189:21

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE ABOVE RULES ARE CURRENT AS OF SEPTEMBER 1, 2014. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.